



CLEAN WATER CONSTRUCTION COALITION

October 11, 2010 Report

October 8, 2010 Chicago Meeting Report

Several Coalition members were present at the Chicago meeting, while several other Coalition members participated through the use of a Conference Call. For some unexplained reasons, a few members who attempted to participate by Conference Call were unable to do so. AT&T could not make these connections, and we apologize for that.

Following is the meeting commentary based on the Agenda:

◆ **Fiscal 2011 Appropriations Update**--Sante Esposito, our lobbyist, was present at the meeting and indicated that the Congress approved a Continuing Resolution (CR) prior to its adjournment for the elections. The CR runs through 12/3/10 at funding levels of approximately \$2 billion for the Wastewater SRF program and \$1.3 billion for the Drinking Water SRF program.

Congress will act on a host of appropriation bills when it returns for the Lame Duck Session.

◆ **S. 1005 Update**--Sante Esposito reported that he and Bob Briant have held recent discussions with various groups that support the legislation as well as key staffers for the Democrat and Republican Senate Leaders on the bill. Agreement was reached recently that will allow the bill to come to the floor of the Senate during the Lame Duck Session. Concerns regarding Davis Bacon, distribution of funds based on federal formula and total dollars noted in the legislation remain as concerns, but they can be resolved on the floor during debate.

Chairman Oberstar has indicated that he will go to Conference, as the House has already approved a different bill, as soon as the Senate approves its bill. Congressman Waxman will also be part of the Conference discussion as his committee approved the Drinking Water portion of the House bill earlier this year. All of this can be achieved.

◆ **Support for Congressman Blumenauer Legislation Update**--Sante Esposito reported that Congressman Blumenauer and his staff continue to seek co-sponsors for his legislation, H.R. 3202, which would establish a Clean Water Trust Fund. Although the concept is attractive, concerns continue as to how to fund such a program.

Bob Briant reminded everyone that Congressman Blumenauer continues to draw attention to the nation's Clean Water Needs through his actions and that benefits our overall efforts as well.

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◆ **Local Preference In Contracting Update--**Dick Wanta, who was present at the meeting, distributed various material regarding this issue in Milwaukee. Last year the city approved a municipal ordinance that offers a 5 percent low bid advantage to any contractor that is domiciled in the city. Wanta's association has gone to court regarding the ordinance, and the court ruled that the municipal official's action was legal.

To date, 9 Milwaukee contracts have been awarded to firms that were not the original low bidder. EPA and the Wisconsin agency that provides the wastewater and drinking water loans have indicated that they concur with the decision as these federal funds were actually loans, not grants, which would have been subject to federal bidding regulations.

Dick Wanta reported that his association is exploring legislative action at the state level, while also possibly negotiating some revisions to the Milwaukee ordinance. Sante Esposito and Bob Briant noted that they have discussed this concern regarding local preferences under the SRF program with Congressional Leaders.

◆ **New Congress Following Elections--**Sante Esposito commented that it is clear that the Democrats will lose seats in the House and Senate. It is possible that the House could be controlled by the Republicans who, generally speaking, have limited federal funding for wastewater and drinking water construction while they were in the majority and when there was a Republican in the White House. Esposito felt that the Democrats would probably hold the Senate.

Bob Briant reminded everyone that former Congressman Roe and Sante Esposito have excellent rapport with the Republican leadership and staff. In some cases, Esposito trained some of this Hill staff that we will work with if the Republicans take the House.

◆ **Coalition Strategy If S. 1005 Is Not Enacted--**It is clear that the Coalition, as well as others who support increased funding for wastewater and drinking water construction, must move forward early in the new Congress if S.1005 is not enacted. Sante Esposito noted that we must follow Senate action following the election so that we, and others, can plan accordingly.

Bob Briant noted that it may be necessary to communicate by Conference Call at some time during December.

◆ **Process For Conducting Future Meetings--**It is evident that many Coalition members are experiencing severe economic conditions which warrant a change in our process for meetings. Based on this condition, it was agreed to meet through the use of a Conference Call early in the new year. The specific timing of this action will be dictated by the election results and developments in the new Congress.

The Coalition will continue to conduct its May Washington, DC meeting and Congressional visits.

◆ **Decision About Consultant Services For 2011--**Prior to the discussion of this Agenda item, Sante Esposito was excused from the meeting. Bob Briant asked for opinions on how to approach our consultant services for 2011. Several Coalition members voiced a concern regarding cuts that have been made within their association budgets for 2011. Bob Briant was asked if former Congressman Roe and Sante Esposito would consider reducing their fee for 2011.

Bob Briant reported that the 2010 consultant fee was \$115,000 plus a nominal amount for expense reimbursements--about \$3,000 for the year. Coalition members asked that Bob Briant approach our consultants and ask that they consider reducing the fee for 2011 to \$100,000 based on the existing economic conditions nationally. Those Steering Committee members who were present supported the suggestion, and Bob Briant was asked to contact the other two people on the Steering Committee to discuss the suggestion with them. Following those discussions, Bob will discuss the offer with former Congressman Roe and Sante Esposito.

Bob Briant reminded everyone that the New Jersey association will continue to administer the Coalition activities on a voluntary basis and cover all related costs.

Bob Briant thanked representatives of the Underground Contractors Association of Illinois for hosting the Chicago meeting and the Chicago River Tour that followed the meeting. There being no further business to discuss, the meeting was adjourned.