

THE BI-MONTHLY PUBLICATION OF THE DISTRIBUTION CONTRACTORS ASSOCIATION



DCA NEWS

JANUARY / FEBRUARY 2022



**The
Annual
Convention
Issue**



The Annual Convention Issue

CONTENTS

04 President's Letter

06 2022 Convention

08 Candidate Profiles

15 Convention Sponsors

21 Auction Donors

22 Safety Congress

24 Industry News

26 Insights

29 DCA & AGA Workshop

30 Calendar

31 Member News



After Two Years at DCA Helm, Nelson Sees Progress Through Pandemic



2020 - 2021 DCA
President Ben Nelson

After a rare, two-year term as DCA president, Ben Nelson has a unique perspective on the progress made and challenges overcome through the worst of the pandemic.

Most of the challenges are already well-documented. The opportunities, he says, will begin with the DCA's long-awaited return to a traditional meeting schedule at

February's DCA Convention.

"When you come into the presidency, you already understand how a typical year works, and after seeing what others have done while leading the organization, you're looking forward to certain things you want to do," Nelson said. "For the most part, I believe I was able to."

That's not to say there aren't a few disappointments that come with assuming the presidency at the start of a global shutdown, but Nelson modestly suggests he was able to work with DCA members to accomplish at least a year's worth of goals during the unpredictable past two years. Emerging from that period, he said, makes the upcoming annual convention a special one.

The 2022 convention will be held at the famed Arizona Biltmore in Phoenix, which reopened in April after an \$85 million renovation. In anticipation of that event and the completion of his term as DCA president, Nelson spoke with *Underground Construction* magazine about some of the organization's key accomplishments during his term and shared his perspective on some of the important issues facing distribution contractors now and in the coming years.

"I think it's going to be along the lines of our regular conventions in the past," he said, "which means it will be great."

Availability of qualified workforce was a big issue for DCA members long before the pandemic. As the economy strengthens and demand for natural gas increases, have unions been working with the DCA to address potential challenges?

Yes, workforce will continue to be of great importance for the DCA, and our union partners are an important part of contractor relationships with their workforces. Obviously, a lot of our members are union contractors and pay into funds for each of the unions that we work with. And the

unions have, over the years, built impressive regional training centers. They do a lot of recruitment and training, and it's important because that's where a lot of the workforce development is being done. There haven't been a lot of new programs over the last couple of years, but that's just an essential, ongoing effort.

Are there programs that DCA has developed outside of specific union efforts?

Definitely. For instance, DCA is supporting the development of a video series by our members to promote the different jobs available in our industry. People who are considering our field or are interested in learning about it, will have a much better understanding about what we do.

I think our industry does not do enough marketing or promoting of itself, and it's kind of a mystery to the general public because a lot of them don't interact directly with our companies like they would with a lot of retail and service businesses. Some of the videos are already available on our website, and we're pretty proud of what we've already got and what we're going to add to it. I think that's a nice development for us.

We're also involved with an association called the Center for Energy Workforce Development (CEWD), which historically helped recruit and promote only for the utility industry. Over the last several years, the DCA staff and our members have worked with them to add more material related to contractors. That expansion to the contractor market allows us to be involved and get help with some of our issues, as well.

How are political and environmental forces affecting contractor operations, and what is DCA doing to help?

We work very closely with our lobbyists in Washington and other associations to try to stay on top of these issues. And while there are some national issues that impact us, there are also a lot of issues at the state and local level, and we're working very closely to monitor and make our members aware of them.

For example, there are a lot of places that are restricting the ability to add natural gas in new construction, so when homes get built, they will only have electric water heaters, stoves, and home heating. There are already

some cities and counties in California that do not allow gas construction now, and there have been some efforts to make it a statewide issue.

On the other hand, some states have passed legislation to prevent those restrictions on natural gas installations, and, of course, we're very much in favor of that. So, a lot of effort is being put into those initiatives.

Is there any pressure being added to job execution from those or other issues, such as negative media coverage?

There can be, particularly around some of the larger pipelines that will attract protesters. It's not all that common, but it's something that our members face from time to time, and that will lead to some pressures around project execution. But I would say that the bigger issue in this area is really around the legislative efforts that are taking place and how we can collaborate with other associations and industry groups to get our messages out there.

Supply chain problems have been another area of concern, with parts and supply distribution issues negatively impacting many American industries. What about distribution construction?

Yes, there are some serious cost pressures on our work. Whether it's the fuel or materials we buy or the wages we pay, the costs are going up for just about everything distribution contractors do. We really have to do what we can to manage costs, be smart about how we buy, and work with our clients to get relief where appropriate.

Equipment availability is a very real issue. A lot of times we just can't get what we want if we need things quickly. We have to work with the people we buy or rent equipment from to give them as much notice as we can and plan our business the best we can.

One helpful thing that DCA does in this regard is to conduct an equipment purchasing survey. We ask our members to anonymously provide their company's plans for purchasing or renting different categories of equipment. That helps our associate members, who, as you know, include equipment suppliers and manufacturers and rental companies. By providing them with details of what our needs and plans are, they can then provide that to their management teams to see what they can do to meet our industry's needs.

That's something that the DCA has been doing for a long time. It's a nice benefit for our associate members and for our contractor members that this information gets pulled together and shared.

You mentioned how important it is for contractors to manage costs. Has DCA been able to help in this regard?

There is an interesting project we've been working on the last couple of years, where we decided to fund a study to analyze the underground utility locating industry and the claims that result from that industry, along with the related processes in each of the 50 states. It looked at best practices and how the insurance industry and local laws all fit in with the One Call centers.

It's an area of great opportunity for improvement, because the way it's handled in some states is different and better than the way it's handled in others. And it's definitely a cost issue. All of our members have been impacted by underground locating and the delays that can put on our work, along with the claims that can come up and the damage and safety issues that may present for our workforce and the public we're working around.

The study started a couple of years ago, and it was just finished within the last month or so. And now it's time to get those materials and promote the results. I'm pretty excited about it, because I think it has the potential to make a real, tangible difference for everyone in our industry, whether it's contractors or our customers, as well as the public we're working around.

In closing, are there any accomplishments during your term as DCA president that you're especially proud of?

There is one area that has been a personal concern of mine, which is to encourage the involvement of some of the younger employees and management folks from our member companies, because it's important to make sure we have a good infusion of new perspectives with new blood always coming in and participating in our meetings.

Now, the DCA has established a new Strategic Vision Committee, which has a cross-section of members – contractor and associate members, big and small members, union and nonunion, newer and older. It's a small group, but I think we did a pretty good job of getting a diverse mix to really look at things from all perspectives. And one of the things they will be looking at is how the DCA can encourage member involvement and get more involvement from that next generation.

That's something, as I was taking my turn as president, I wanted to make sure that we were doing our best to address. That's a direct result of my bringing it up and asking the DCA to consider it, and I was happy to find that other members also felt that's an important goal we should work toward. ▲

2022 Annual Convention

For the most up-to-date Convention information including schedules, speakers, auction bidding information, attire suggestions and more, please download the DCA Events App.

Please see pages 8-14 for Board of Director candidate profiles, and for a list of convention sponsors, please see pages 15-20.





2022 Board of Directors & Officers

The election of a new Board of Directors is one of the most important things that occurs at DCA's Annual Convention. The board, which consists of four officers, a past president representative, two associate member representatives, six directors, a director at large, and the association's executive vice president, helps direct the association through regularly scheduled board meetings during the year and other informal occasions.

To help DCA's voting members become more familiar with the slate of candidates available for election to the 2022-23 Board of Directors, we have compiled some basic biographical information on each nominee.

2022 Officer Nominees



President:
Kevin Parker
Mears Holding LLC

Kevin Parker joined Mears Group in 1984 and is presently the Senior Vice President of Health, Safety, and Environment.

Brief Work History: Parker started as a Mears construction laborer in 1984 then moved to a foreman's position working on pipelines across the Midwest and East Coast. After receiving his bachelor's degree in geological/petroleum engineering, he returned to Mears as a project engineer and manager, and eventually progressed to director of the company's Construction Division. Parker moved to the group level of Mears as director then vice president for HSE. In his present position where he oversees new program development and implementation as well as strategic initiatives.

Parker is active in pipeline and gas distribution industry associations, both nationally and internationally. He started attending DCA functions in 2008 and was awarded Safety Director of the Year in 2012. He regularly attends the spring DCA Safety Congress and has been both a roundtable panelist and moderator at the April DCA & AGA Utility Workshop. He is the past chair of the DCA Safety/Risk Management Committee and is a member of the DCA Government Relations Committee and the DCA OQ Integrity Process (OQIP) Task Force. He has been a member of the DCA Board since 2017.

Family Life: Parker and his wife, Tari, have three children: Heather, Alex, and Ashley. They enjoy spending time with family, friends, and their dogs at the lake and doing outdoor activities including hunting, boating, and barbecuing.



Vice President:
Ray Swerdfeger
K.R. Swerdfeger Construction Inc.

Ray Swerdfeger is the Vice President of K.R. Swerdfeger Construction Inc., in Pueblo, Colorado.

Brief Work History: Swerdfeger grew up in the family business, watching it expand from a few employees to more than 500 at its peak. After installing pipe in the field in high school and earning a bachelor's degree in construction management from Colorado State University, he started full time with the company as a crew foreman in New Mexico in January 1995. In 1997, Swerdfeger became superintendent of the directional drilling crews in Denver. He expanded the directional drilling into a full-service trenchless division with manhole coatings, pipe lining, auger boring, and pipe ramming.

Swerdfeger was named president of the company in 2006. In 2018, he was appointed by Colorado Gov. John Hickenlooper to the Underground Damage Prevention Safety Commission for a three-year term.

Miller Pipeline acquired K.R. Swerdfeger Construction in 2021.

Family Life: Swerdfeger and his wife, Jill, have two children: Shae and Avri. Swerdfeger enjoys skiing the powder in Colorado, taking on home improvement projects, and spending time with his family.



Treasurer:
Mark Albert
AGI Construction

Mark Albert is the founder and chief executive officer of AGI Construction (AGI), headquartered in Smithfield, Rhode Island.

Brief Work History: Albert studied business at Rhode Island College and engineering at the University of Rhode Island prior to founding AGI Construction. Under Albert's leadership, AGI has grown from a small family-owned company into a regional natural gas contractor with nearly 300 employees servicing New England and upstate New York. Albert guided AGI through its rapid expansion in the natural gas industry. He helped to create a proprietary cloud-based work management system specifically customized for the industry. Albert and his team created a training program that also serves as AGI's apprenticeship program for its field personnel, ensuring AGI's employees are the best and the most highly trained in the industry. Albert also developed a very detailed damage prevention process that is now referenced as an industry best practice.

Albert has served on the board of directors for the Northeast Gas Association for the past two years. He also serves as a co-chair of the DCA Government Relations Committee and has served on the Board of Directors since 2019.

In addition to his business pursuits, Albert is committed to giving back to the community by supporting multiple organizations, such as the Gloria Gemma Breast Cancer Foundation, A Wish Come True, and the Metropolitan Regional Career and Technical Center, as well as many local youth sports teams. Albert is also a major supporter of the Boys and Girls Club of Providence and sits on their board of directors.

Family Life: Albert's happiest times are spent on his family compound spanning four generations with his long-term partner, Kathleen, his two daughters, his two grandchildren, and his father. In his free time he enjoys traveling, boating, and watching the New England Patriots.



Immediate Past President:
Ben Nelson
Michels Pacific Energy

Ben Nelson is the president of Michels Pacific Energy in Santa Clara, California. Nelson is currently serving on the DCA

Safety/Risk Management and Government Relations committees.

Brief Work History: Nelson began working as a parts runner and laborer for Pilchuck Contractors in 1990. After graduating from the University of Washington in 1996, he began working full time for Pilchuck Contractors, moving up through the company as an estimator, project manager, and operations manager. Pilchuck was purchased by Michels Corporation in 1999; in 2013, Pilchuck transitioned into Michels Pipeline Construction. In 2019, Nelson took a new position leading Michels Pacific Energy, which performs pipeline, power line, and substation construction on the West Coast.

Family Life: Nelson and his wife, Katie, have three children: Abigail, Henry, and John. Outside of work, Nelson enjoys spending time with friends and family, golf, skiing, running, and other outdoor activities.



Past President Director:
Kevin Miller
Miller Pipeline

Kevin Miller is a senior consultant for Miller Pipeline, based in Indianapolis, Indiana. He was DCA president in 2010 and is the son of 1981 DCA President and Honorary

Member Dale Miller.

Brief Work History: Miller began working in the natural gas distribution industry in the mid-1970s for Miller Pipeline and has worked in nearly every capacity with the company over the years. He served as president and chief operating officer from 2004 until June 2020, when he transitioned to the role of senior advisor for Miller and its parent company, Artera Services.

Industry/Community Involvement: Miller plays an active role in the industry and has served various positions on the DCA Board of Directors. He is currently on the board of directors of the Gold Shovel Association, working to continuously improve excavation safety awareness and procedures in the industry. He is also a member of the HDPE Municipal Advisory Board for the Plastic Pipe Institute (PPI), where he served as training committee chair.

Family Life: Miller and his wife, Lisa, live just outside Orlando, Florida, where they enjoy golf, entertaining friends, and spending time by the pool. They have two children, Megan and Nathan, who both work for Miller Pipeline.

(continued on pg. 10)

Candidates for Contractor Member Director

Three to be elected for a two-year term, one to be elected for a one-year term



Director:
Doug Anderson
Hydrovac Excavators II LLC

Doug Anderson is the executive vice president of Hydrovac Excavators II based in New Berlin, Wisconsin.

Brief Work History: Anderson began his career as a laborer in 1993 for Mueller Pipeline (MRM) in St. Paul, Minnesota. During his time with the MRM network of companies, Anderson worked in New Jersey, Buffalo, New York, and various areas in the Midwest. He was a fuser, operator, and foreman before being promoted to manager of distribution for Iowa, Wisconsin, and Illinois, where he worked on several fiber optic, pipeline, and distribution projects.

Anderson joined the Miller Pipeline team in December 2019. As construction manager, he supported contracts in Miller's eastern region while helping to expand their Midwest footprint. He became executive vice president of Hydrovac Excavators II in 2020.

Anderson has been member of the DCA since 2011. He has participated on various committees and works with the Labor Committee during negotiations. He was elected to the board of directors in 2019.

Family Life: Anderson and his wife, Linda, have three daughters: Raechel Cordy (Andrew), Karlee, and Jenna. Anderson also has two other children: daughter Alicia and son Alex. Anderson enjoys spending time with his family, golfing, hunting, and doing projects around their home.



Director:
Bill Colson
Pretec Directional Drilling LLC

Bill Colson is the general manager of Pretec Directional Drilling LLC, Eau Claire, Wisconsin. Colson is a current co-chairman of the DCA Safety/ Risk Management Committee.

Brief Work History: Colson started in the industry in 1997 as an operator in the Operating Engineers. He worked his way up through the ranks of operator, foreman, safety assistant, safety manager, project manager, and general

manager. Colson has worked with many union pipeline contractors and HDD contractors across the nation. When Pretec formed in 2016, Colson was asked to fill the role of general manager. Colson has been attending and actively participating in the DCA since 2017, including becoming a co-chair of the Safety/Risk Management Committee in 2018.

Family Life: Colson and his wife, Kelly, have four children between them: Matthew, Alex, Camrynn, and Morgan, and one granddaughter, Luna Marie. Colson enjoys traveling, fishing, and hunting.



Director:
Pete Fojtik
Michels Utility Services

Pete Fojtik is the president of Michels Utility Services in Brownsville, Wisconsin. He is co-chair of the DCA Workforce Development Committee and serves as a trustee on the DCA-LMCT trust.

Brief Work History: Fojtik has more than 34 years of gas distribution experience leading Michels' founding construction service. Fojtik oversees all aspects of Michels' gas distribution construction operations across the U.S. This includes crews working on main and service replacement programs, expansion and conversion projects, and joint trench installations. Before the inception of Michels Utility Services Inc., Fojtik served as the vice president of Michels Pipeline Construction – gas distribution division. Prior to joining Michels, Fojtik worked with InfraSource/Quanta Services for more than 20 years, starting with the company in the Mueller Pipeliner days.

Fojtik earned a bachelor's degree in construction administration from the University of Wisconsin-Madison, but literally began his career in the trenches, working his way up from a laborer/fuser through varying management roles. He currently serves on the Center for Energy Workforce Development (CEWD) board of directors as well as the American Gas Association (AGA) construction operations committee and workforce development task group.

Family Life: Fojtik and his wife, Wendy, have four daughters: Brianne, Kyra, Shaye, and Jaime. The family also has a dog named Cooper. In his spare time, Fojtik enjoys golfing, traveling, and spending time at the beach with his family.



Director:
Jeff Green
Mears Group Inc.

Jeff Green is the president of the utility construction division for Mears Group Inc. in Lenexa, Kansas.

Brief Work History: Green began his career as a laborer in the Kansas City area in 1984. In 1990, he joined NPL as a general foreman, then moved his family west in 1995 to grow the company as an operations manager and regional manager. Green was instrumental in beginning operations in Colorado, California, Utah, and Ohio, and was responsible for the start of the special projects division. He joined the Quanta family in 2013 as vice president of transmission for InfraSource, served as company president and is currently president of Mears' utility construction division. Green has safely and successfully managed pipeline construction company operations for many years and is recognized as an industry leader.

Family Life: Green and his wife, Jackie, have three children: Alicia, Brenden, and Alison. The couple also has eight grandchildren. Green enjoys spending time with his family, hunting, fishing, and the lake life.



Director:
Dana Heieie
Southeast Directional Drilling

Dana Heieie joined Southeast Directional Drilling in 2002 and is currently vice president of operations and safety.

Brief Work History: Heieie has held various roles at Southeast Directional Drilling. In 2010, he was named director of transportation, with responsibility for all transportation safety and compliance. Four years later, he was promoted to director of transportation, and senior director of safety and transportation to oversee all safety and transportation. In 2019, Heieie's success in safety and transportation paved the way for his current role as vice president of operations and safety.

Heieie began attending DCA functions in 2014. He regularly attends the Annual Convention, Mid Year and Fall meetings, and the DCA Safety Congress. He was a chair for the DCA Safety/Risk Management Committee from 2017 to 2021. In 2018, Southeast Directional Drilling received the Arthur T. Everham safety award.

Family Life: Heieie and his wife, Emily, have three children: Kallie, Leah, and Natalie. Heieie enjoys spending time with his family, traveling, riding motorcycles, and cooking.



Director:
Doug Reeves
Primoris Services Corporation

Doug Reeves is the senior vice president of Primoris Services Corporation (PSC), Little Canada, Minnesota.

Brief Work History: Reeves began working in the utility industry in 1989 performing power pole and power line inspections in Indiana. A career change in 1990 initiated a shift to the natural gas industry, where Reeves performed and later managed code compliance services such as leak surveys and line locating throughout the upper Midwest. Reeves moved to Minnesota in 1997 and joined Q3 Contracting (Q3C) in 1998. During his time with Q3C, Reeves held multiple positions in field operations management and estimating. He was named president of Q3C in September 2017 and moved into the senior vice president role with PSC in January 2021.

Family Life: Reeves and his wife, Carol, have two children: Katie and Nathan. The Reeves family enjoys traveling and the outdoors including golf, hiking, and upland hunting.

(continued on pg. 12)

Three Directors with One Year Remaining on a Two-year Term



Senior Associate Member Director:
Scott Cooper
**Caterpillar Inc – Building Construction
Products Division**

Scott Cooper is a senior national accounts manager for the Building Construction Products Division of Caterpillar, Inc., in Cary, North Carolina.

Cooper is responsible for all national account customers headquartered in the Southeastern region of the United States. This covers customer jobsites across the U.S., Canada, and other countries. Cooper has represented Caterpillar in the DCA since 2014 and served as co-chairman of the Membership Committee and on both DCA scholarship committees.

Brief Work History: Cooper has been in the construction industry for 22 years. Since graduating from East Carolina University with a bachelor's degree in construction management, he has held various positions within Caterpillar, including production manager, customer service manager, senior marketing engineer, worldwide marketing manager for telescopic handlers, territory industry field sales, and service representative and national accounts manager. Cooper is involved in construction advisory boards at East Carolina University (ECU) and Cape Carteret Community College. He is currently the president of the Executive and General Advisory Board for Construction at ECU, representing 110 major companies. Cooper serves as a board member for the Lee County Educational Foundation and is a committee member of the Cat Foundation within his division. He is also a talent recruiter for the Building Construction Products Division.

Family Life: Cooper and his wife, Beth, live with their daughter, Hope, in Sanford, North Carolina. Cooper enjoys hunting, fishing, and hanging out with his dog Bones. Cooper is a member of Buffalo Lodge 172 and a 32nd degree in the Scottish Rite.



Director:
Dan Carson
Carson Corporation

Dan Carson is the president of Carson Corporation headquartered in Lafayette, New Jersey.

Carson has more than 30 years of experience in the construction industry as a specialty contractor performing both HDD and civil construction. Carson joined the DCA in 2013, served as vice-chairman of the Trenchless (HDD) Committee, and was elected to the Board of Directors in 2018.

Brief Work History: Carson attended the College of Wooster, where he graduated with a bachelor's degree in business economics. He formed Carson Corporation in 1987 to serve the growing construction industry in northern New Jersey, and his company has evolved into servicing both private and public sectors nationally.

Carson Corporation is composed of civil and HDD divisions. The company's HDD division has successfully drilled and installed miles of trenchless piping throughout the country, earning national recognition. The civil division, which primarily services clients in the Northeast, focuses on site development projects, with a more recent expansion into the renewable energy sector.

Family Life: Carson and his wife, Whitney, reside in New Jersey with their daughter, Montana. Carson enjoys cultivating his farm, outdoor activities, golfing, and spending time with family and friends.



Director:
Jim Lagios
Atlas Trenchless LLC

Jim Lagios is the president of Atlas Trenchless, a successful, growing national HDD contractor based in Rockville,

Minnesota.

Atlas performs HDD and auger boring services in the gas and public works sectors throughout the U.S. Lagios currently serves on the Trenchless (HDD) Committee and has served on the Board of Directors since 2013.

Brief Work History: Lagios started as a laborer in the HDD division of Michels Pipeline in 1989 and he moved up through the ranks of several reputable HDD providers over the last 30+ years to his current position as president of Atlas Trenchless. Thanks to his extensive hands-on experience in the HDD industry, he is often called upon by his peers for advice and solutions in tough drilling situations. He leads the Atlas team in their ongoing commitment as one of the safest, most highly qualified, and reputable HDD contractors in the nation.

Family Life: Lagios, his wife, Sherry, and their four children, Gage, Larissa, Tiana, and Kyra, always cherish and enjoy their time together. Lagios also enjoys hiking, hunting, and fishing.



Director at large:
Chad Davis
Miller Pipeline

Chad Davis joined Miller Pipeline in 1997. He is currently the vice president of construction for the South region.

Brief Work History: Davis began his career with Miller Pipeline in 1997 as a laborer. He quickly progressed to operator and then became a foreman in 2000. In 2005, he was promoted to superintendent and in 2011 he stepped into his current role overseeing southern region construction operations in Alabama, Arkansas, Florida, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. He has spent the last decade managing large projects, spearheading start-ups, and integrating acquired operations in the eastern and southern areas of the United States.

Davis is active with the DCA as well as other industry organizations and state gas associations. In 2014, he was selected for the Daniel Watters Individual Achievement Award at Miller Pipeline. The award recognized Davis for his loyalty, leadership, performance, and integrity and helped set the standard for those to follow. Davis is also active with the Children's Bureau of Indianapolis and Habitat for Humanity.

Family Life: Davis and his wife, Shara, have one son, Coy. In his spare time, Davis enjoys hunting, outdoor projects, coaching, and spending time with friends and family.

(continued on pg. 14)

Candidates for Junior Associate Member Director

One to be elected for a two-year term



Junior Associate Member Director

Candidate:

Sarah Mahlik

TT Technologies Inc.

Sarah Mahlik joined TT Technologies in 2013 and is currently the National Accounts Manager. She covers Midwest states for sales as well as larger national accounts, helping to promote, educate, and train customers and engineers on trenchless technology.

Brief Work History: Mahlik has a Bachelor of Business Administration with majors in both finance and marketing. She has worked in various financial institutions, including Accenture and Price Waterhouse Coopers, as well as in sales and management for the Kohler Company.

Mahlik started attending DCA functions as a child in the 1990s and has been an active member for the past eight years. She regularly attends the Annual Convention, the April DCA & AGA Utility Workshop, and the Mid Year and Fall meetings. Mahlik serves as a member on the DCA Strategic Vision Committee. She is also active in the North American Society for Trenchless Technology (NASTT) and serves on the board for the Midwest Society for Trenchless Technology (MSTT). Mahlik also belongs to the Underground Contractors Association of Illinois organization.

Family Life: Mahlik and her husband, Justin, have two children: Emma and Vivienne. Mahlik enjoys spending time with her family, being active in sports such as tennis and running, traveling, and reading.



Junior Associate Member Director

Candidate:

Randy Rupp

Ditch Witch

Randy Rupp is currently the director of customer care for Ditch Witch in Perry, Oklahoma, the worldwide manufacturer of the Ditch Witch, Subsite, American Augers, and Trenchor brands of equipment used for the installation, maintenance, and inspection of underground pipe and cable.

Rupp is an active proponent of workforce development initiatives and has served as the co-chair for the DCA Workforce Development Committee.

Brief Work History: Rupp began his career in the underground construction industry as a district representative for the Ditch Witch factory in Perry, Oklahoma in 1995, initially servicing the North and South Carolina territory. He progressed through the sales department and in 2008 became national sales manager. In 2010, he moved to the product development side of the business, taking on the role of product manager for HDD products. In 2012, Rupp became the director of product definition for Ditch Witch, and in 2013 he was promoted to vice president of product strategy. In 2019, the Toro Company purchased the Charles Machine Works and Rupp moved to the Subsite division to implement new product development processes and strategies. In 2020 the Ditch Witch, Subsite, American Augers, and Trenchor brands were all combined into the Ditch Witch division, and at that time Rupp moved to the Ditch Witch leadership team as director of customer care.

Family Life: Rupp and his wife, Cindy, have sons and a daughter-in-law: Jacob, Zachary, Joseph, and Karly. Rupp has served on several community and church boards. He enjoys family, history, traveling, museums, and his cows.

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(continued on pg. 16)

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International Union of Operating Engineers
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Isco Industries
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(continued on pg. 18)

Gold Sponsors (continued)



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(continued on pg. 20)

Bronze (continued)



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J.T. Miller
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**Thank you to all of the DCA Auction Donors -
your generosity is appreciated.**

Don't Miss the 2022 Annual DCA Safety Congress

**March 28-30, 2022
Hyatt Regency, Austin, Texas**

Registration and housing information are available on the DCA website

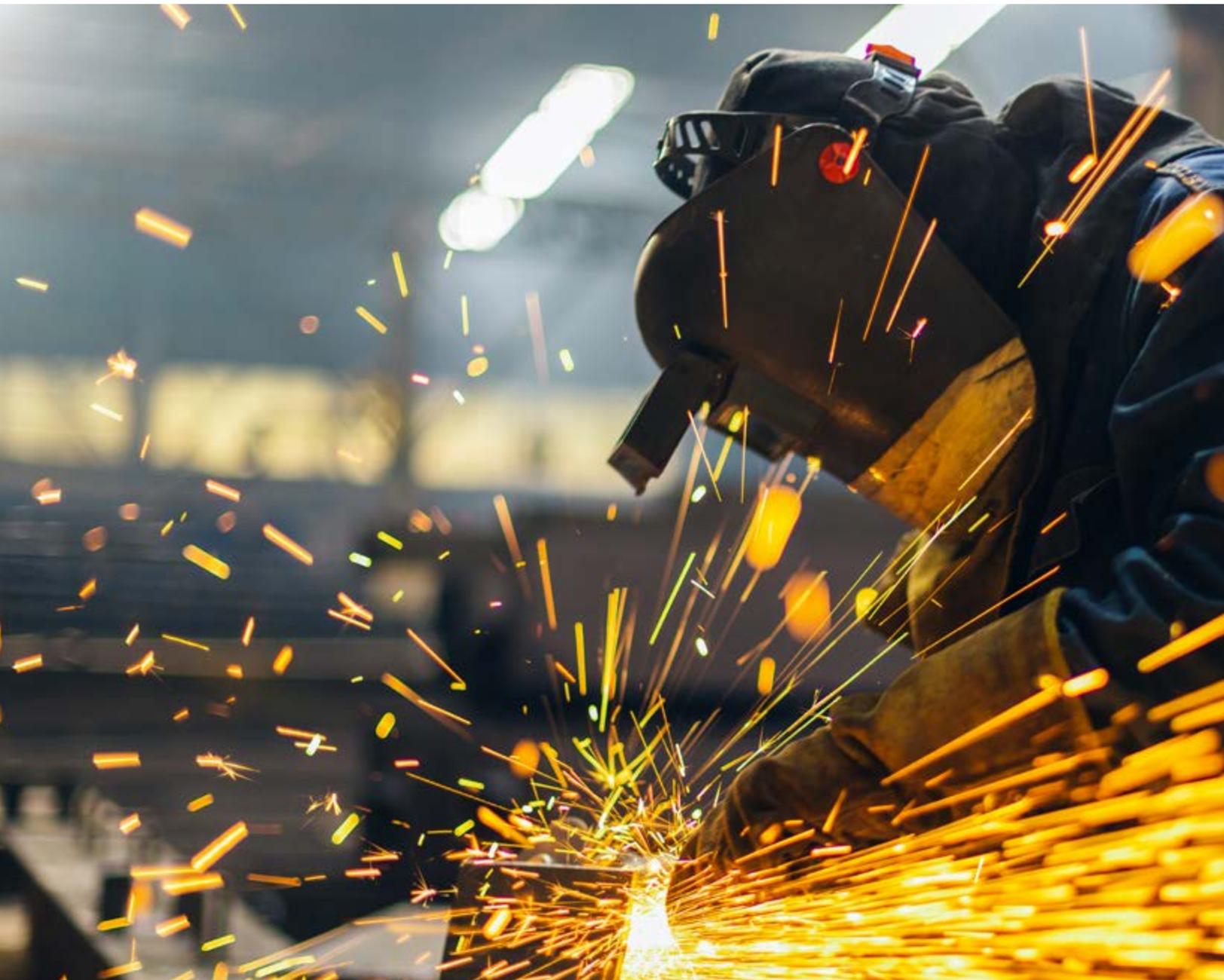




Industry News

StrataTech Education Group Partners with DCA to Award up to \$1 Million in Combined Scholarships

StrataTech will award 100 students half-off tuition scholarships for programs at Tulsa Welding School campuses and The Refrigeration School, Inc.



StrataTech Education Group is pleased to announce a new partnership with Distribution Contractors Association (DCA) for a 'Million Dollar Pledge to Get Americans to Work' campaign. As part of this partnership, StrataTech will provide 100 half-off tuition scholarships to upskill skilled trade workers.

Men and women who work for a DCA-affiliated company and have been sponsored for tuition assistance by their company are eligible to apply for one of the scholarships. Each scholarship awarded by StrataTech will cover half of each employee's tuition while the remaining balance will be sponsored by each recipient's respective employer. Scholarship recipients can then use the funds toward any program at The

Refrigeration School, Inc., Tulsa Welding School, Tulsa Welding School Jacksonville or Tulsa Welding School & Technology Center, including programs in welding, HVAC & refrigeration, electrical applications, among others.

These scholarships come at a time when the skilled trades industry is facing a major skills gap which could leave an estimated 2.4 million positions unfilled between 2018 and 2028, according to a study by Deloitte and The Manufacturing Institute. The U.S. Bureau of Labor Statistics also projects the skilled trades industry to grow by 10 percent, creating an additional 704,000 jobs.

"Investing in the skilled trades industry is now more important than ever," said StrataTech CEO Mary Kelly. "We're proud to help educate the next generation of skilled trade professionals, provide them with a quality education and set them up for lifelong success."

DCA is a member-centered association which serves as a link to government agencies, organized labor and other industry organizations for those in the underground construction industry. DCA offers programs, committees and other events which give members the opportunity for professional recognition and to give back to their industry.

"For 60 years, DCA has been committed to building opportunity for our members and those entering the skilled labor industry," said DCA's executive vice president Rob Darden. "We're very grateful to StrataTech for this partnership and scholarships which will help continue our mission."

Those looking to apply for the scholarship can visit <https://www.stratatech.com/dca> to learn more.

For more information on StrataTech and its four campuses, visit www.StrataTech.com.

About StrataTech Education Group

StrataTech Education Group focuses on the education, growth and development of specialized career education schools, particularly skilled-trade programs designed to address the nation's growing infrastructure needs. Holding an A+ rating by the Better Business Bureau, StrataTech Education Group's portfolio includes The Refrigeration School, Inc. (RSI), Tulsa Welding School (TWS), Tulsa Welding School Jacksonville, and Tulsa Welding School & Technology Center (TWSTC). For more information, visit www.StrataTech.com. ▲



Insights



At the DCA Fall Meeting last year, it became clear that the Covid-19 vaccine mandates coming out of the Biden administration presented a bigger problem than the industry had anticipated. Although most contractors in the distribution construction industry work on projects paid for by the private sector and the ratepayers who utilize natural gas as their energy source, the response to these mandates presented immediate threats to the construction companies building the infrastructure.

The administration's sweeping mandate required federal employees (including federal contractors) to be vaccinated. It was followed by another mandate coming out of the Occupational Safety and Health Administration (OSHA) that would have required employers with 100 or more employees to either force their workers to be vaccinated or tested weekly for Covid-19. This ultimatum resulted in a new quandary: many customers of DCA members tried to simplify the mandate by simply requiring their contractors to mandate vaccination of their workforce. Problem was, many workers were not willing to toe the line.

After it was clear that the distribution construction industry, and many other construction sectors, were facing increasing threats to already formidable workforce capacity challenges, DCA joined a coalition of hundreds of business groups who pushed back on the shortsighted Biden vaccine mandates. Many Washington lobbyists (myself included) were white-knuckled in our efforts to overturn this before the pending compliance date in early January.

Fortunately, on January 13, the U.S. Supreme Court granted an emergency request for relief regarding one of the two Biden administration vaccine mandates. In short, the Court:

- Halted OSHA's Emergency Temporary Standard (ETS) requiring employers with 100 or more employees to mandate vaccination for covered employees or to test unvaccinated employees weekly. Specifically, the Court granted the applicants' request for an emergency stay of the ETS

- Effectively stayed enforcement of the administration's separate vaccine mandate for certain covered federal contractors and subcontractors

The Centers for Medicare & Medicaid Services interim final rule, which requires mandatory vaccination for healthcare workers at certain facilities, remains.

The Court essentially concluded that the administration overstepped its authority by seeking to impose the mandate on businesses with at least 100 employees. More than 80 million people would have been affected and OSHA had estimated that the rule would save 6,500 lives and prevent 250,000 hospitalizations over six months.

According to conservatives on the Court, "OSHA has never before imposed such a mandate. Nor has Congress. Indeed, although Congress has enacted significant legislation addressing the Covid-19 pandemic, it has declined to enact any measure similar to what OSHA has promulgated here."

Safety Coalition Continues to Weigh in on Vaccine Mandate

The Construction Industry Safety Coalition (CISC) very recently issued comments to OSHA to point out the shortcomings of OSHA's approach to the mandate. The CISC, which DCA has been a member of for the past 10 years, is a coalition of dozens of trade associations representing virtually every aspect of the construction industry.

In comments sent in mid-January, the CISC:

- Reiterated the proactive measures taken by the construction industry to address COVID-19, including the CISC's efforts to increase vaccinations among the construction workforce
- Discussed the CISC's concerns regarding the lack of stakeholder involvement in OSHA's development of the ETS
- Described how and why the construction industry is low risk and, thus, applying the ETS to the construction industry is not appropriate under OSHA law
- Discussed additional issues regarding the ETS as applied to the construction industry

The CISC comments had a clear bottom line: Regardless of future variants that surface in the fight against the coronavirus, the construction industry is essential, we keep our workers safe, our work is done largely outdoors, and OSHA failed miserably at conducting outreach before issuing the ETS in the first place.

DCA will continue to participate in CISC efforts as the nation continues to pull out of the pandemic, and will ensure that our industry is considered as essential as it truly is.

House Energy Committee Debates Cybersecurity Legislation

The winter storm that caused blackouts in Texas and neighboring states last year when gas facilities froze raised concern over our natural gas infrastructure. On top of that, the cyberattack on a key pipeline system in May of 2021 only increased skepticism about risks associated with pipeline infrastructure. Now, Congress is looking to act.

According to Democrats leading the House Energy and Commerce (E&C) Committee, the interdependence of critical infrastructure, such as the ability to deliver natural gas to electricity generation, is one of the top risks to the reliable operation of America's power systems. At this point, the threats associated with this interdependency have extended both to risks to electric reliability and to the reliance on natural gas in terms of electricity generation..

The good news is that energy leaders in Congress are recognizing the need for natural gas infrastructure and its continued role in generating electricity. In fact, natural gas made up 37% of U.S. electricity generation last year, reflecting a growing percentage. The point made by E&C Committee leaders is that if a pipeline failure or cyberattack disrupts the supply of natural gas then generation of electric power can be compromised.

To address this concern, Bobby Rush (D-Ill.), chair of the E&Cs Subcommittee on Energy, held a hearing in late January on the Energy Project Reliability Act (HR 6084). It calls for the creation and certification of an Energy Product Reliability Organization (EPRO) to oversee the reliable delivery of energy products via energy pipelines through mandatory and enforceable reliability standards. The EPRO would be modeled after the statutory framework for FERC's current oversight of the reliability of the electric grid.

At a hearing on January 19, FERC Chairman Richard Glick testified in support of cybersecurity standards for pipeline infrastructure. HR 6084 would require that any standard developed by EPRO be submitted to FERC for approval before it becomes effective. In addition, the EPRO would be required to issue standards that ensure the deliverability of energy products to support electric grid reliability and that protect against cybersecurity and physical security threats.

(continued on pg. 28)

The legislation also would require the EPRO to consult with the Department of Energy (DOE) and the Transportation Security Administration (TSA) in developing reliability standards associated with energy cybersecurity, and would give FERC the authority to establish emergency standards to address enduring emergency conditions. Finally, the bill would maintain much of current law related to rules for enforcement mechanisms and assessment and review of penalties.

At the hearing, Chairman Glick said, "a similar attack against a natural gas pipeline serving electric generators has the potential to also impair the reliability of the electric grid. In my view, it is critical that energy pipelines also be subject to mandatory cybersecurity standards."

Republicans and the gas industry are arguing that the new oversight authority for FERC is unnecessary and duplicative, and that TSA already oversees much of the physical security of pipelines because they transport fuel, gas, and chemicals.

"The bill today that we're going to be talking about is a sweeping power grab preempting states and local jurisdictions from regulating all types of energy infrastructure," E&C Committee Ranking Member Fred Upton (R-Mich.) said. "This bill would dramatically expand FERC, transforming a relatively tiny agency into a behemoth."

Rep. Upton also said the bill would also "impose new federal taxes, fees, and regulations on all energy in the country."

It didn't take long for industry to weigh in.

A group of associations representing pipeline operators, said they shared the E&C Committee's focus on ensuring that transportation of energy is safe, reliable, and affordable, but were concerned that the concept of creating a new, additional pipeline reliability regulator fails to reflect the industry's already proven record, and that the risk of duplicating and conflicting requirements with existing federal and state regulatory authorities will not enhance pipeline reliability.

They said HR 6084 "not only creates duplicative and conflicting federal oversight authority, but it also interferes with state regulation of intrastate pipelines." On the contrary, they said, it risks impairing and complicating ongoing efforts to protect pipelines against cyber threats.

"In most instances in which there was an inability to deliver energy to customers, the problem was not a pipeline issue, but was primarily due to the unavailability of electricity for tanker truck terminals to pick up gasoline or diesel, or the inability of generators to procure natural gas to put into the pipeline system," the group wrote. "In-depth analysis of pipeline performance confirms the reliability of our pipeline network. For example, in 2016, fewer than 100,000 natural gas customers nationally experienced disruptions."

Pipelines are inherently reliable infrastructure, built in large part underground in compliance with safety regulations and engineering standards. Anybody who truly pays attention knows that pipelines have a demonstrable history of performing well during emergencies.

Another problem is that HR 6084 would interfere with state regulation of intrastate pipelines. On the natural gas side, FERC does not have authority over gas distribution systems, or intrastate natural gas transmission pipelines, but with individual state public utility commissions and other state and local regulatory entities. In a rare case of state regulators siding with the pipeline industry, the National Association of Regulatory Utility Commissioners (NARUC) weighed in with similar sentiments as the pipeline industry.

In a January 18 letter to E&C Committee leaders, NARUC said that "NARUC's members remain troubled by the preemption and lack of coordination with existing federal programs required by H.R. 6084. Under the Natural Gas Act, state regulatory commissions have jurisdiction over intrastate natural gas transmission systems and the natural gas distribution systems operated by the LDC (local distribution company)."

This debate is by no means over and DCA believes that duplicating the electric reliability organization framework and applying it to pipelines is not an effective way to enhance pipeline reliability. The association will continue to support the pipeline industry by opposing shortsighted efforts that will only complicate regulatory compliance. There was one very important and positive point made in this discussion: federal policymakers are on record recognizing the importance of natural gas in generating electricity. ▲



Eben M. Wyman
Principal
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DCA & AGA Utility Contractor Workshop
April 11-13, 2022
The Ritz-Carlton - Chicago
Chicago, Illinois

The 2022 DCA & AGA Utility Contractor Workshop will be held April 11-13 at The Ritz-Carlton in Chicago, Illinois. Previous workshops have brought together more than 150 attendees from local distribution companies, construction contractors and manufacturers, labor unions, and industry experts from around the country, along with federal and state government representatives. The workshops are intended to increase communication and cooperation between gas distribution utilities and the contractors who work for them. If you have any questions, don't hesitate to contact Eben Wyman at 703-750-1326 or at eben@wymanassociates.net.

Preliminary Agenda and Registration Information Will Be Available on the DCA Website Beginning February 1st.



Calendar

DCA & Industry Events

2022

FEBRUARY 22-26

Pipe Line Contractors Association
(PLCA) Annual Convention
Sheraton Wild Horse Pass
Phoenix, Arizona
www.plca.org

MARCH 1-3

Global Excavation Safety Conference
Phoenix, Arizona
www.globalexavationsafetyconference.com

MARCH 4-6

Power & Communication Contractors
Association (PCCA) Convention
Fairmont Scottsdale Princess
Scottsdale, Arizona
www.pccaweb.org

MARCH 28-30

DCA Safety Congress
Hyatt Regency Austin
Austin, Texas
www.dcaweb.org

2022 (cont.)

APRIL 11-13

DCA & AGA Workshop
The Ritz-Carlton - Chicago
Chicago, Illinois
www.dcaweb.org

MAY 2-6

Pipe Line Contractors Association of Canada
(PLCAC) Convention
Hyatt Regency Maui Resort & Spa
Maui, Hawaii
www.pipeline.ca

JULY 18-21

DCA 2022 Mid Year Meeting
The Coeur d'Alene Resort
Coeur d'Alene, Idaho
www.dcaweb.org

SEPTEMBER 19-23

IPLOCA 2022 Convention
Hilton Hotel
Prague
Czech Republic
www.iploca.com

ATTENTION ALL DCA MEMBERS!

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DCA NEWS is a bi-monthly publication of
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101 West Renner Road, Suite 460
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