

# TURNING Point



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WOMEN CONSTRUCTION OWNERS & EXECUTIVES, USA

March 2009

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## Message from the President

By Deborah E.G. Wilder

It is certainly with mixed emotions that I write my last President's message. WCOE has been a lifelong commitment for me. I joined your ranks 24 years ago. My husband "blames" WCOE for the example you set prompting me to leave my secure job to start my own business 22 years ago. There were rough times, but always a small army of energizing women from WCOE who "had my back". My dearest friends are in WCOE and I thank each and every one of you for making my experience with WCOE and these last two years as your President so fabulous.

We have shared great excitement - like the time Dorothy Erickson and I got to have breakfast in the White House in 1988, or when HR 5050 passed and Marilu Meyer got appointed as the first chair of the National Women's Business Council. Then, there was Nina Tate, Marjorie Herter and I who went to our first Presidential Inauguration in 1989 (each night there were "goodies" in our room, including a dessert made out of marzipan in the shape of Texas). And, I remember Rebecca Llewellyn and Piper Doan flying in to be with me when I was sworn in as Mayor of Foster City (CA) in 1998. Over the years, we have also shared great sorrow and grief with the passing of our family, friends, and members.

(Continued on page 2.....)

## Quote of the Month

**"Good Women....May we know them;  
may we  
be them; may we raise them."**

**~Pam Weaver, NAHB's Women Council  
2008 Chair**

(...Continued from page 1)

I have watched WCOE support our members in business. I remember sending a lead on a paving project with the Department of Justice to Carolyn Stradley (Atlanta), who then bid and was awarded the contract. I remember when Marjorie Herter (Chicago) had a supplier default in a contract resulting in the threat of liquidated damages for delays and how Judy Grammer (TN) helped find a replacement supplier so the project could be finished on time. I see referrals and collaboration between our members across the country helping to grow our businesses and share new ideas.

We have also been the voice of women business owners in the construction industry wherever we go, whether on state or local advisory councils on transportation, general services or prison construction; or on national boards like the National Women's Business Council and the Overseas Building Operations Board for the US Department of State.

Our members have been interviewed by the national press, spoken at national and international forums and gone head-to-head with the "good old boys" more than once. Much has changed for the better over the last 25 years, but every now and then, I still want to kick a telephone poll when I have been patronized just one too many times. None of us got to be

successful women business owners or executives by always saying what was expected of us. But, that is half the fun... to have an entire organization just like me, not afraid to take on the world and do what is right to bring equal opportunity to this industry.

Additionally, I seemed to always have a place to lay my head; whether in Philadelphia with Joyce Tsouris, in Colorado with Rosemary Breiner, in Seattle with Ida Brooker or anywhere there is a WCOE member. You have dressed me (or at least made sure the tags were cut off my suit), encouraged me, been a mentor and an example, and most of all, been my friend. Little did I know when I met Dorothy Erickson 24 years ago at a trade show in San Francisco, the journey I would travel with WCOE. The greatest achievement I have had in my professional career is to have been your President. Thank you for the honor.

~Deborah Wilder, President

## Upcoming Events

### WCOE Annual Meeting

The Willard Hotel  
Washington, D.C.  
March 22-24, 2009

### WCOE Mid-Year Meeting

Las Vegas, NV  
September 13-14, 2009

### Regional WCOE Conference and Coalition Annual Banquet

Kansas City, MO  
October 4-5, 2009

**(If you know of events, that you would like to see added to this section of the Turning Point, please email the information to Ginny Douglas, Executive Director at: [info@wcoeusa.org](mailto:info@wcoeusa.org))**

## Last Chance to Join WCOE's Annual Meeting and 25th anniversary celebration!

There is still time to register to attend our WCOE Annual Meeting in Washington DC. March 22-24, 2009. We have a great set of meetings and events, including a return to the Capitol itself for an evening reception on Monday March 23. We will also be premiering our 25<sup>th</sup> anniversary video, with an interview from 3 of our founders and pictures from 1984 to present. Do not miss out on that great event!

## Stimulus Package – What Does it Really Mean?

By Deborah E.G. Wilder

Well, the stimulus package bill is sitting on my desk. It is 407 pages and I would recommend it and its 8 point type to anyone who cannot sleep at night. The Obama Administration wants to be sure this money is out and working within the next 120 days. There is a lot in the stimulus package (everything from agricultural projects to rural electrification; housing loans; nutrition programs, and reinforcing infrastructure). However, in order to get the stimulus money directly into the economy within the next 120 days, the bill requires that these funds go to projects which are “shovel ready” for construction.

This could mean a lot of dollars for construction in the coming year. You may want to check out this website:

[http://www.stimuluswatch.org/project/by\\_state](http://www.stimuluswatch.org/project/by_state).

This website has identified “shovel ready projects” within each state. At this point these projects have not received funding, but you should keep an eye out to see if any of these projects are funded. I know that my company has already identified several projects and is contacting those local cities/agencies to make sure my company is included in bidding on these future projects.

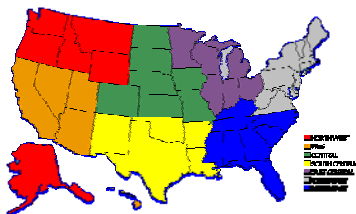
### Member News: What's Happening with WCOE Members?

**WCOE congratulates Jayne Veile on her recent promotion to Vice President of Hilboldt Curtainwall!!**

**Additional congratulations go to Hilboldt Curtainwall for their new status as WBE Certified!!**

Please send any member news to [info@wcoeusa.com](mailto:info@wcoeusa.com). We look forward to hearing from you!

## National Regional Directors



### **Nancy Goshow**

Northeast  
Goshow Architects LLP  
Managing Partner  
New York, NY

### **Rosana Privitera-Biondo**

Central  
Mark One Electric Company, Inc.  
President  
Kansas City, MO

### **Gina Raffin**

East Central  
Scale Construction, Inc.  
President  
Chicago, IL

### **Sandi Sinicrope**

Western  
ASF Interior Redesign Inc.  
Alhambra, California

### **Rosemary R. Barbour**

Southeast  
Alcatec LLC  
Flowood, MISS

### **Caryn Boisen**

National Regional Director  
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Larson King, LLP -Attorney  
St. Paul, MN

## Executive Committee

### **Deborah E.G. Wilder**

WCOE President  
[deborahwilder@wcoeusa.org](mailto:deborahwilder@wcoeusa.org)

### **Theresa Kern**

WCOE Senior Vice President  
[rebars@aol.com](mailto:rebars@aol.com)

### **Kristine Cook Lindsey**

WCOE Secretary  
[info@wcoeusa.org](mailto:info@wcoeusa.org)

### **Vacant**

WCOE Treasurer  
[info@wcoeusa.org](mailto:info@wcoeusa.org)

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MA Steel Erectors, Inc.  
President  
Worth, IL  
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CEI Group  
VP & General Council  
Howell, MI  
P: 517-548-0039

## President Obama Issues Executive Order Expanding PLAs.

By Deborah E.G. Wilder

On February 6<sup>th</sup>, 2009 President Obama issued an Executive Order permitting executive agencies, in awarding a contract in connection with, or obligating funds pursuant to, a large-scale construction project (\$25 million or more), to require the use of a project labor agreement (PLA) by contractors under certain circumstances.

The Obama EO allows executive agencies to “on a project-by-project basis, require the use of a project labor agreement by a contractor,” when it is consistent with law and will “advance the Federal Government’s interest in achieving economy and efficiency in Federal procurement, producing labor-management stability, and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other matters”.

The order also directs the Director of OMB, in consultation with the Secretary of Labor, to provide recommendations to the President within 180 days about whether “broader use of project labor agreements...would help to promote the economical, efficient and timely completion of such projects.”

Under the EO, an agency can require every contractor and subcontractor to agree to negotiate or become a party to a PLA for the purposes of the relevant contract. PLAs can require the contractor or subcontractor to: 1) recognize a union as the representative of their employees on that job, 2) pay union wages and benefits, 3) only use the union hiring hall to obtain workers, and 4) obey restrictive and at times inefficient work rules and procedures. While all contractors, including non-union shops, can bid even if a PLA is required, many non-union contractors decline to participate because of the restrictions. With fewer bidders, projects will likely face higher costs.

## Government Neutrality in Contracting Act

By Deborah E.G. Wilder

Senator David Vitter (R-LA) has introduced S. 90, the Government Neutrality in Contracting Act, ([Congressman Sullivan introduced H.R. 983](#)) that would ensure Federal agencies cannot require a contractor to enter into a PLA.

This was the state of the law before President Obama’s Executive Order. Under S. 90 and HR 983 the EO contractors could still enter into a PLA if they so desire, presumably when labor relations or other considerations make such an agreement advantageous. These bills are still pending in Congress.



## **Excerpt from WCOE's Testimony on Diversity in Contracting within the RTA Before Mass Transit Committee – February 23, 2009**

By Gina Raffin, East Central Regional WCOE Director

WCOE appreciates the opportunity to appear before this Committee to participate in the discussion regarding diversity in contracting within the RTA, Metra, CTA and PACE. We commend you for your openness to hearing ideas for enhancing DBE participation in the economic stimulus monies that will be coming to Illinois from Washington.

WCOE recommends two key steps that we believe this Committee can take to ensure maximum DBE participation in these stimulus projects. The first is to incorporate the current fiscal year DBE goal of each agency into any legislation appropriating these economic stimulus monies in Illinois. After all, this money will be coming to Illinois in 2009 and in all likelihood will be appropriated in the FY 2009 budget. As such, the DBE goals applicable to this year should be embodied in any legislation appropriating this money. This will ensure that all 2009 appropriations have 2009 DBE goals, regardless of when the projects are let.

The second step is to revise the existing prompt pay provisions contained in state law to ensure they cover all government agencies in Illinois that receive this stimulus money. WCOE also recommends the Committee amend this law to ensure it actually works for contractors and subcontractors. Presently state agencies have 60 days to pay a properly submitted bill or face a 1% interest penalty. In reality, state agencies rarely meet this time line and contractors often do not receive payment for 150 days or more. These payment delays affect subcontractors too, as prime contractors do not usually pay them until they are paid by the state agency. All throughout this delay, the contractor and subcontractor must still pay their employees and union fringe benefits. DBE firms do not have the same access to credit to sustain these long payment delays. Therefore, to ensure maximum DBE participation, this Committee must address this slow payment process not only for state agencies, but also for all agencies that receive stimulus money.

Part of the reason DBE firms find access to capital and bonding more difficult are the very federal regulations that were intended to assist us in securing federally funded transportation and transit work. Both the personal net worth limit of \$750,000 for each qualifying owner and the gross revenue cap limit of \$21 million are serious impediments to DBE firms in Illinois. An owner's personal net worth and the DBE firm's gross revenues determine the line of credit and bonding capacity of a firm. These unrealistic limitations keep the size of our credit lines and our bonding capacity ridiculously low.

A gross revenue cap of \$21 million might seem like a lot of money to many of you. In Illinois, construction is a very costly business. Our equipment, material and labor costs far exceed those in other states, so clearly our gross revenues are higher. At the same time, the idea of the gross revenue cap was to allow DBE firms the opportunity to get started and grow under the program. Then graduate after exceeding the cap and be able to compete with other majority firms. Last year, some of my competitors reported gross revenues of more than \$400 million just for work they performed in Illinois, Indiana Wisconsin and east Missouri. Once my firm exceeds this cap, with just over \$21 million in gross revenues and no DBE certification, it will be impossible for us to compete on a level playing field against these firms.

The \$750,000 limitation on personal net worth is equally challenging for DBE firms. U.S. DOT imposed this limit in 1999 and it has never been increased. Like the gross revenue cap, it is an across the board limit so it does not take into account the variances that exist in cost of living across the United States. Again, in Illinois, particularly the northeast region real estate is more expensive, earnings are higher and thus one's personal net worth can quickly go beyond \$750,000. Chicago and Cook County both recognized this fact when they increased their personal net worth limit for the M/WBE program to \$2 million just a few years ago.

WCOE recognizes that this Committee cannot change the federal DBE regulations. However, changes to these regulations will be critical to ensuring the availability of qualified DBE firms to perform this stimulus work. WCOE will be pushing hard in Washington to increase these limitations. We strongly urge this Committee to do the same by adopting a resolution urging the Illinois Congressional delegation and the United States Department of Transportation Secretary, and Illinois native, Ray LaHood to increase these limitations immediately.



# WCOE 2009 ANNUAL MEETING

March 22-24, 2009 - Washington DC

*Presented by Women Construction Owners & Executives, USA*

## REGISTRATION

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### Registration Fees:

Early Bird Registration-made and paid on or before February 17, 2009

WCOE members and affiliated partners: \$395.00

Non members: \$445.00

Registration after February 17, 2008 (credit card payment only)

WCOE members and affiliated partners: \$445.00

Non members: \$475.00

All "at the door" registrations: \$495.00

**Total amount** \_\_\_\_\_

Name: \_\_\_\_\_

Billing address if different from above: \_\_\_\_\_

Credit card number: \_\_\_\_\_ Exp Date: \_\_\_\_\_

Master Card

Visa

American Express

Signature Authroization: \_\_\_\_\_

If you are an affiliated partner of WCOE and are claiming the lower registration fee, please note your affiliation with your association of groups here: \_\_\_\_\_

Return the form via email to [info@wcoeusa.org](mailto:info@wcoeusa.org), fax to 650-522-4402, or U.S. Mail to: Women Construction Owners and Executives, USA 4401A Connecticut Avenue NW Washington DC 20008

**Willard InterContinental Hotel, Washington, DC - 800-327-0200 or 202-628-9100**

**Special Group Rate of \$350 per night March 19 through March 27.**

**WCOE Reservation Code #JU7**





# WCOE 2009 ANNUAL MEETING

TENTATIVE SCHEDULE March 22-24, 2009  
Willard Intercontinental Hotel, Washington, DC

## March 22, 2009- Sunday

- 10:00 a.m. – 2:30 p.m. **WCOE Board of Directors Meeting** – Taft Room
- 12:00 – 1:00 p.m. **WCOE Board of Directors Luncheon** – Stone Room
- 3:00 -5:00 p.m. **General Membership Meeting and Business Meeting** – Holmes  
Election of Officers  
Position Papers Approval
- 3:45 - 5:00 p.m. **HIGH TEA Buffet**
- 5:00 – 7:00 p.m. **2009 Board of Directors Meeting and Planning Session** – The Willard

## March 23, 2009- Monday

- 8:30 a.m. **Breakfast** – Taft Room  
Welcome to DC - WCOE President Deborah Wilder
- 9:00 a.m. **Breakfast Speaker:** Ann Sullivan, WIPP Lobbyist – Women Impacting Public Policy
- 10:00 a.m. – 12:00 Department of Commerce – International Trade Mission Briefings  
14 & Constitution Avenue, NW, Washington, DC
- 12:30 - 2:00 p.m. **Lunch Buffet – Taft – Table rounds**  
**Luncheon Speaker - TBA**
- 2:30-4:30 p.m. **Panel Discussion** – General Service Administration Briefing on Contracting Opportunities
- 6:00 – 9:00 pm **Capitol Hill Reception – 25<sup>th</sup> WCOE Anniversary Celebration**

## March 24, 2009 – Tuesday

- 7:30 a.m. **Breakfast at Capitol Hill Club and Capitol Hill Briefing**
- 9:00 a.m.-11:30 p.m. **Meetings with Senators and Representatives**
- 11:30 p.m. **Box Lunch on Capitol Hill**
- 1:00 p.m. – 3:30 p.m. **Small Business Administration Briefing**  
409 Third Street, SW, Washington, DC
- 3:30 p.m. **Closing remarks by President Deborah Wilder**