

TURNING Point



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WOMEN CONSTRUCTION OWNERS & EXECUTIVES, USA

February 2009

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WCOE

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Message from the President

By Deborah E.G. Wilder

When it rains...it pours (and that is the truth in California as the rains and storms have been coming non-stop). As for WCOE, we have also had a busy time. Our attendance at the National Home Builders Association Meeting in Las Vegas at the end of January brought over 100 women owned businesses by our booth and allowed us to create good relationships with the NHBA's Women's Council. We will be working with the Women's Council to present a Women's Summit in August 2010 addressing industry-wide issues for women business owners.

The first week of February saw WCOE at the World of Concrete (also in Las Vegas). Not only did we have a booth at that conference, but four of our members presented a panel discussion on Certification. We discussed the advantages and disadvantages of certification, the need to target your market for certification purposes, as well as the criteria required and an update on the new 8(m) program for women owned businesses. We got great reviews and had a great opportunity to meet with many of the seminar participants as well.

And, do not forget that our Annual Meeting is coming up next month and we have a great program planned, including a 25th anniversary video, a reception in the Capitol and lots of great opportunities for networking and exchanging best practices in your business with others. Please be mindful of the February 20th deadline for hotel reservations at the discounted price. I hope to see many of you there!

WCOE's **Corporate Alliance Program (CAP)** is growing with new contacts seeking information about becoming a CAP! We have had attendees at our various meetings step up to CAP status after spending time with our WCOE members. If you would like to become a WCOE Corporate Alliance Partner or have a recommendation to make, please send the information to Ginny Douglas, WCOE National Executive Director at info@wcoeusa.org or 800-788-3548.

Executive Director's Report

By Ginny Douglas

January and February were busy months for WCOE! First, with the International Home Builders Show and then the World of Concrete! These were great opportunities to introduce WCOE to potential NEW members...and some of them are going to be with us at the 25th Annual Meeting in Washington, DC at the Willard Hotel. February 20th is the deadline for the WCOE reduced rate at the Willard, so don't delay and make those reservations now! If you have any reservations issues, please notify Katherine Pavia, Reservations Manager, Willard Intercontinental, Washington, DC. Katherine can be reached by email at Katherine.Pavia@ihg.com. She will make sure that you are given the WCOE reservation rate for your room.

With the new Administration, the economic stimulus packages being passed by Congress, and the changed regulatory environment, our Annual Meeting will be packed with new information, new officials and opportunities to

add to the economic and regulatory dialogue. Our schedule is packed with new appointees at the US Department of Commerce, the General Services Administration and the Small Business Administration. Plus, time with our Senators and Congressional members.

We already have a large registration for our Annual Meeting on March 22-24, 2009 and I do not want you to miss this opportunity to network and learn from other WCOE members. I look forward to seeing you there!

As always, I am eager to hear from you about ideas/suggestions to make WCOE better and I am glad to assist you in any way that I can! I can be reached at info@wcoeusa.org or 1-800-788-3548.

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)

Quote of the Month

"You may have to fight a battle more than once to win it."

~ Margaret Thatcher, former and first woman
British Prime Minister.

ABC Denounces Executive Order That Discriminates Against 84 Percent of the Construction Workforce

By Deborah E.G. Wilder

Associated Builders and Contractors (ABC) earlier this month denounced an Executive Order signed by President Obama that repeals Executive Order 13202, that prohibited federal agencies and recipients of federal funding from requiring contractors to sign union-only project labor agreements (PLAs) as a condition of performing work on federal and federally funded construction projects.

This month's "decision to repeal Executive Order 13202 opens the door to waste and discrimination in federal and federally funded construction contracts," said ABC President and CEO Kirk Pickerel. "This action removes the safeguards that prohibited discrimination based upon union affiliation in the awarding of federal contracts.

"Construction contracts subject to union-only PLAs are designed to be awarded exclusively to unionized contractors and their all-union workforces," said Pickerel. "Absent the economic benefits of competitive bidding, union-only PLAs are known to increase construction costs between 10 percent and 20 percent and discriminate against minorities, women and qualified construction workers who have traditionally been excluded from union membership.

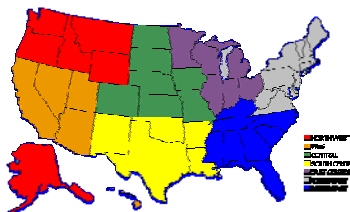
"Union-only PLAs drive up costs for American taxpayers while unfairly discriminating against 84 percent of U.S. construction workers who choose not to join a labor union," added Pickerel. "All taxpayers should have the opportunity to compete fairly on any project funded by the federal government."

A union-only PLA is a contract that requires a federal construction project to be awarded only to contractors and subcontractors that agree to recognize unions as the representatives of their employees on that job; use the union hiring hall to obtain workers; pay union wages and benefits; and obey the union's restrictive work rules, job classifications and arbitration procedures.

Article courtesy of Associated Builders and Contractors (ABC)

<http://www.abc.org/>

National Regional Directors



Nancy Goshow

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Managing Partner
New York, NY

Rosana Privitera-Biondo

Central
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President
Kansas City, MO

Gina Raffin

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American Arbitration Association: Did You Know....

That the AAA recently released the Initial Decision Maker (IDM) Procedures for parties using an IDM to settle disputes prior to AAA mediation?

The 2007 AIA Contract Documents® require that all claims be referred to an IDM as a condition precedent to AAA mediation. Under the documents, parties may choose an IDM other than the project architect. The AAA IDM Procedures, introduced in January, were developed to provide an IDM selection process to parties who want to choose an IDM other than the project architect.

The new AAA procedures offer an impartial, fair and simple means of selection for an IDM. The AAA's Roster of Neutrals includes architects, engineers, contractors and construction attorneys available to serve as the IDM.

The following are some of the highlights of the new procedures:

- All parties to a contract may request the AAA to appoint an IDM by filing a request with the AAA and the other parties. This is usually done at the time of contracting but can be done at a later date.
- Any person appointed as an IDM is required to disclose to the AAA any circumstances likely to give rise to justifiable doubt as to the IDM's impartiality or independence.
- The IDM appointed shall conduct the IDM process and prepare the initial decision pursuant to the relevant AIA Contract Documents® or such other document to which the parties have agreed.

Article Courtesy of the American Arbitration Association: Dispute Resolution Services Worldwide



Please welcome our
new Corporate
Alliance Partner:

**Gilbane,
Inc.**

Gilbane, Inc. is one of the largest privately held companies in the construction and real estate industry and is committed to providing complete facility solutions to their clients. Gilbane, Inc. comprises two operating companies, Gilbane Building Company and Gilbane Development Company. The two often work in concert to provide integrated expertise in finance, development, planning, and construction.

Check out their website at:

<http://www.gilbaneco.com/>



**Don't Forget to Register for the WCOE
Annual Meeting in Washington, DC!!!**

March 22-24, 2009

See Registration Form on Page 6

E-Verify Update from the WIPP Procurement Committee & Give Me 5 January Taskforce Meeting

By Ann Sullivan, WIPP Government Relations

Updates on E-Verify:

- Federal contractors will be required to begin using the E-Verify system starting Jan. 15, 2009
- For all prime contracts awarded exceeding \$100,000 with a period of performance longer than 120 days/subcontracts for services or for construction exceeding \$3,000
 - 1) all new hires going forth 2) existing employees who work on the contract and were hired after June 6, 1986
- E-Verify is run by DHS and Social Security and is free.
- To verify: From the DHS homepage, click on "Prevention and Protection" then click on "Learn about E-Verify".
- Based on the information provided by the employee on his or her Form I-9 (Social Security Number/Passport), E-Verify checks this information electronically against records contained in DHS and Social Security Administration (SSA) databases.
- Contractors have 30 days from the date of contract award to enroll and 90 days from the date of enrollment with E-Verify to initiate verification for employees already on your staff who will be working on the contract and to begin using the system to verify newly hired employees. After this 90-day phase-in period, they will be required to initiate verification of each newly hired employee within 3 business days after their start date.

The new rule implements Executive Order 12989, as amended by President Bush on June 6, 2008. The amended Executive Order reinforces the policy, first announced in 1996, that the federal government does business with companies that have a legal workforce.

The rule exempts:

- Contracts that include only commercially available off-the-shelf (COTS) items (or minor modifications to a COTS item) and related services;
 - Contracts of less than the simplified acquisition threshold (\$100,000);
 - Contracts less than 120 days; and
 - Contracts where all work is performed outside the United States
- On December 23, 2008 the U.S. Chamber of Commerce and other business organizations filed suit against U.S. Homeland Security Secretary Michael Chertoff, complaining that the Homeland Security Department cannot legally require federal contractors to use its online worker verification database.
 - The lawsuit, filed on in the U.S. District Court for Maryland's southern division, asks the court to declare the executive order and subsequent rule changes to be illegal and void, since the president's order is in direct contradiction to the law, which says that no person or entity shall be compelled to participate in the E-Verify program. The only exemptions are federal agencies, the legislative branch, and certain immigration law violators.



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, 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

MAKE RESERVATION BY FEB 20!!!

BOOK NOW TO AVOID MISSING OUT ON WCOE GROUP RATE!





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 p.m. - 5:00 p.m. **HIGH TEA Buffet**

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 – 25th 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**
- 5:00-7:00 p.m. **2009 Board of Directors Meeting and Planning Session-** The Willard