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November/December 2022





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On the cover

A combined \$151 million-worth of improvement projects have been completed or started at every state park since Gov. Jim Justice took office in 2017. Part of the funding - \$42 million - was made available through a surplus in the state's general fund. Renovations or new construction of lodges at state parks include Blackwater Falls (Wolf Creek Contracting Company, Inc.), Cacapon (Paramount Builders), North Bend (Wolf Creek Contracting Company, Inc.), Pipestem (Wolf Creek Contracting Company, Inc.) and Hawks Nest. To learn more about what the West Virginia Division of Natural Resources and other state and federal contracting agencies are planning for 2023, see page 6.

The Contractors Association of West Virginia is a nonprofit trade organization representing the building, highway, heavy and utility contracting industries in West Virginia. Its services include establishment of a close working liaison with state and federal agencies; worthwhile educational and informational programs; the regular dissemination of pertinent information to its members; strong legislative and media relations; as well as all other activities deemed necessary and proper to promote the general welfare of the construction industry. The CAWV is a certified chapter of the Associated General Contractors of America and the American Road and Transportation Builders Association.

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2023 CONSTRUCTION FORECAST



Five years ago, Governor Jim Justice asked West Virginians to cast their vote for the Roads to Prosperity bond amendment. They did so by an overwhelming majority – 73 percent. In June of that same year, the West Virginia Legislature approved increases in driver's licenses, vehicle registration fees and sales taxes that generate an additional \$135 million annually for the State Road Fund.

On November 15, 2021, the biggest U.S. funding package in decades, the Infrastructure Investment and Jobs Act (IIJA), was signed into law. IIJA provides over \$6 billion in funding for West Virginia's roads, bridges, water and wastewater treatment facilities, abandoned mine land (AML) projects, broadband, airports, and other infrastructure projects.

Over 1,000 highway projects since 2019 have been funded through Roads to Prosperity totaling more than \$1.2 billion in highway maintenance projects. This is in addition to the major projects funded through bonds, including Coalfields Expressway, the widening project in Beckley, the replacement and rehabilitation of 26 bridges on Interstate 70 in Wheeling, Corridor H, and the Interstate 64 bridges in St. Albans.

Little of the IIJA money has gone to construction awards so far, but this is expected to change as agencies develop their rules for allocating

the new funds, and engineering and architectural firms complete project designs. Many of these projects will be out for bid starting in 2023.

The CAWV has long promoted the correlation between increased investment in infrastructure and creating jobs and improving the quality of life in all areas of West Virginia. CAWV members are working, or will be working, with companies that have announced plans to locate in West Virginia, such as Nucor Steel, Berkshire Hathaway Energy Renewables, GreenPower Motor Company, Owens & Minor, Pure Watercraft, Mountaintop Beverage, Omnis Sublimation Recovery Technologies and Precision Castparts Corporation. The association has always promoted the fact that

businesses cannot locate in West Virginia if there aren't building sites with adequate infrastructure.

Ken Simonson, chief economist for the Associated General Contractors (AGC) of America, notes in his column on page 32 that construction activity in West Virginia rebounded in 2022. Construction spending has revived even more strongly, Simonson writes. "Data from ConstructConnect shows the value of projects started in the first 10 months of 2022 totaled \$1.72 billion, a 67% jump from the same period in 2021. Many of those starts will carry over into – or even beyond – 2023, providing a solid backlog for some contractors."

Construction employment mirrors



The first highway improvement project under Gov. Jim Justice's Roads to Prosperity bond program was the widening of the West Virginia Turnpike to six lanes in the Beckley area. Triton Construction, Inc., St. Albans, completed the \$140 million project in the fall of 2021, with final finishing work completed in the spring of 2022.

the increase in construction spending. Industry employment in the first 10 months of 2022 returned to nearly the same level as in February 2020, the month before the coronavirus pandemic sent employment tumbling, both statewide and nationally. Page 33 details construction employment statistics over the past 34 months.

To learn what contractors, suppliers, architects, and engineers can expect to design and build in 2023 in the public sector, *West Virginia Construction News* conducted its annual survey of state and federal contracting agencies to determine what their construction programs will be.

A synopsis of their comments follows.

**JIMMY WRISTON, P.E.
SECRETARY
WEST VIRGINIA DEPARTMENT
OF TRANSPORTATION**

The centerpiece of the West Virginia Department of Transportation's (WVDOT) construction program remains Governor Jim Justice's Roads to Prosperity initiative. Many of these projects have been completed, while others are currently under construction, or still moving toward being built in the foreseeable future. The last of these projects will be moving into the construction phase over the next year. This nearly three-billion-dollar investment in WVDOT's highway system has touched the lives of every West Virginian and the positive impacts will continue for decades.

The WVDOT has put an enormous effort into laying the groundwork to take advantage of the opportunities provided in the Infrastructure Investment and Jobs Act (IIJA). Processes and standard operating procedures have been evaluated and improved to deliver the program as efficiently as possible. The key to WVDOT's success is the communication and coordination with all our partners from federal, state, and local agencies, the engi-

neering consultants, and certainly our contractors who will ultimately get these projects constructed for our citizens.

We will continue to face many challenges, such as inflation, supply-chain issues, and workforce availability, but together we will deal with each one of these issues to produce the finest transportation infrastructure in the nation.

Division of Highways

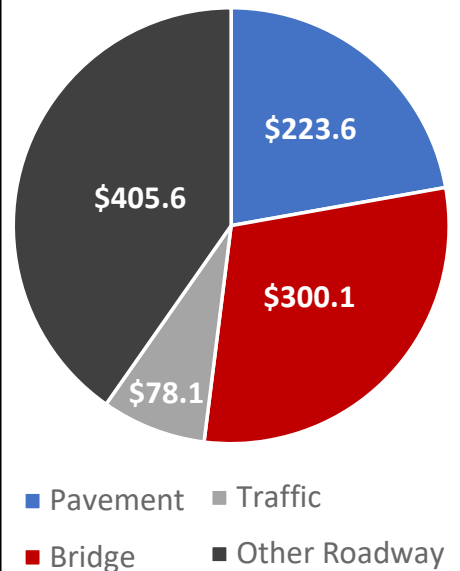
The West Virginia Division of Highways' (WVDOT) planned construction program for the past four years has been a combination of what has been traditionally considered the regular construction program, as well as the construction program planned and funded through Governor Justice's Roads to Prosperity Program. Additionally, for State Fiscal Year 2023, the West Virginia Legislature, at the request of Governor Justice, provided \$125 million from the General Revenue Fund for projects primarily on our secondary roads. For 2023, although there are a few of the larger corridor expansion projects planned, most of the construction program will consist of the regular state-funded and federal-aid construction programs.

Under the Infrastructure Investment and Jobs Act (IIJA) program, the WVDOT estimates to have a construction program of \$1.007 billion in 2023 in addition to \$98 million in major bond projects. A tentative breakdown of the \$1.007 billion by major program area is included below and shown in the accompanying charts.

The first major program area is the Paving Program which is estimated at a minimum of \$223.6 million, which includes an estimated \$15.8 million state-funded program (State Force Paving of \$10.2 million and Contact Paving of \$5.6 million) and a federal-aid program consisting of \$78.8 million on the Interstate System, \$54 million on the Appalachian Development

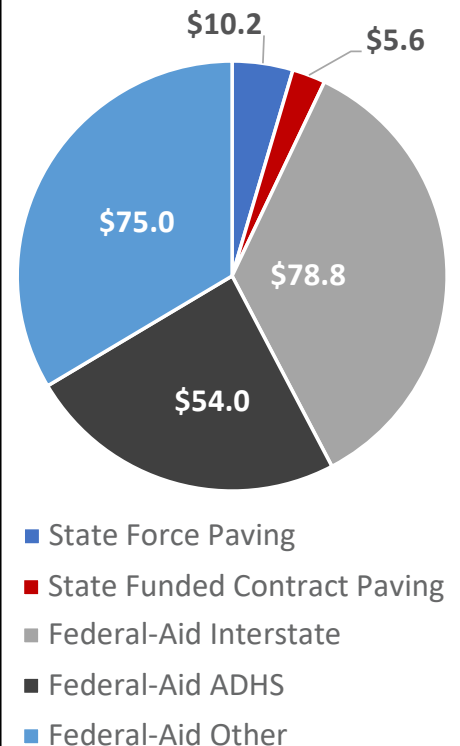
**WV DEPT. OF HIGHWAYS
REGULAR PROGRAM 2023**

\$1.007 BILLION



**REGULAR RESURFACING
PROGRAM 2023**

\$223.6 MILLION



**TOTAL 2023 PROGRAM
\$1.231 BILLION**



The state paving program will increase to \$223.6 million in 2023, the West Virginia Division of Highways forecasts. J. F. Allen Company, Buckhannon, resurfaced 3.43 miles of Interstate 79 from Burnsville to Roanoke Road in Lewis County.

Highway System, and \$75 million on the Other Federal-Aid eligible system.

The second of the program categories is the \$300.1 million Bridge Program which includes projects such as Princeton O/H Bridge, Sandstone Bridge, Patterson Creek Bridge, US 2 Mainline Bridge, and US 19 I/C North and South bridges.

The third major program category is the currently planned \$78.1 million Traffic and Safety Program comprised of signing and lighting renovation, striping, and safety projects throughout the state.

The remaining category is the

Other Roadway, in the amount of \$405.6 million.

Some noteworthy Projects for 2023 are Beckley Z-Way from Shady Spring to Beaver and Van Voorhis Road widening in Morgantown.

Division of Multimodal Transportation Facilities

Governor Justice signed a bill in March 2022 creating the Division of Multimodal Transportation Facilities (DMTF) within the West Virginia Department of Transportation. This legislation combined the Aeronautics Commission, Division of Public Transit, Port Authority, and State Rail Authority, previously sister agencies under WVDOT.

The WVDOT said its new division “embodies” the agency’s overall mission to work together as “One DOT”, in the spirit of cooperation between agencies to provide services to all West Virginians.

The DMTF – Aeronautics administers a grant matching program to encourage, and support needed capital improvements to the state’s public airports. Airports meeting the criteria for Federal Aviation Administration (FAA) Airport Improvement Program funds also qualify for funding from the state program. The grant program is supported by the state tax on aircraft fuel and general revenue funds. Airport projects planned for 2022-2023 or that are underway at West Virginia airports are provided in the table below.

In Fiscal Year (FY) 2023, the DMTF – Public Transit, in concert with the Division of Purchasing, will be accepting Expressions of Intent for architectural, engineering, and environmental services to oversee the removal of an underground fuel tank and garage modification at Central West Virginia Transit Authority in Clarksburg. Following the removal of the tank, an aboveground fueling system will be designed and bids will be taken for a contractor to install the new system. The scope of work will be developed to solicit Expressions

WVDOT (AERONAUTICS DIVISION) 2022-2023		
Airport	Project Description	Total Project Funding
Braxton County Airport	Seal 3,997 LF of Runway Surface/Pvmt Joints; Seal 3,363 SY of Apron; Reconstruct 220 LF of Taxiway	\$363,350
Elkins-Randolph County Regional Airport	Obstruction Removal (Runway 5-23 Approaches); Phase 2A - Easement Acquisition	\$368,628
Grant County Airport	Seal 5,455 LF of Taxiway Pvmt Surface/Pvmt Joints; Phase I - Design	\$84,040
	Seal 5,455 LF of Taxiway Pvmt Surface/Pvmt Joints; Phase II - Construct	\$170,018
Greater Cumberland Regional Airport	Rehab Runway 5/23 - Ph III (Construction) & Rehab Runway 5/23 - Ph IV (Construction Docs/Bidding); Powerline Relocations	\$5,870,956
Logan County Airport	Rehabilitate 275 LF of Taxilane; Phase I - Design	\$35,890
Marshall County Airport	Improve Airport Drainage (Construct); Improve Airport Drainage (Slope Stability Study); Install Perimeter Fencing; Remove Obstructions	\$407,934
Mercer County Airport	Seal Taxiway Pvmt Surface/Pvmt Joints; Phase I & II (Design and Construct)	\$208,224
Morgantown Municipal Airport	Property Acquisition for land needed to complete extension of Runway 18-36	\$530,758
Tri-State Airport	Airfield Rehabilitation & Maintenance Program	\$3,492,110
	Improve Runway Safety Area - Pond Area (Ph 1) Design	\$519,987
West Virginia International Yeager Airport	Runway Rehabilitation Phase III	\$12,394,048
	Runway 5/23: Runway Safety Area EIS Phase 2	\$1,160,054
	Improve Airport Drainage	\$3,112,562
TOTAL		\$28,718,559

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The West Virginia Parkways Authority in May 2022 approved the expenditure of \$152 million to revamp three travel plazas on the West Virginia Turnpike. In November, renderings were unveiled for the Beckley and Bluestone plazas that are expected to be bid in January of 2023 and completed by late 2024. CAWV member firm HNTB, Scott Depot, was selected as the architect on the three plazas.

of Interest for architectural and engineering services, through the Division of Purchasing, for an expansion of Potomac Valley Transit Authority's (PVRTA) Petersburg headquarters building and parking lot. A transit study is underway to determine the work elements of the scope of work. PVRTA serves Grant, Hampshire, Hardy, Mineral, and Pendleton counties. The DMTF – Public Transit will partner with Mountain Transit Authority (MTA), which serves Fayette, Greenbrier, Nicholas, Pocahontas, and Webster counties, to complete the design of the expansion of MTA's headquarters in Summersville. It is anticipated a Plans, Specifications, and Estimates (PS&E) package would be ready for the Division of Purchasing to advertise this project for construction by the spring of 2023.

The DMTF – Public Transit will also be partnering with the Kanawha Valley Regional Transportation Authority (KVRTA) to provide partial funding for the design and construction of a new headquarters facility on the existing property located on the west side of Charleston.

The DMTF – Rail's planned construction projects for FY 2023 total approximately \$4.2 million and include work on the South Branch Valley (SBVR), West Virginia Cen-

tral (WVCR), and Cass Railroads. The SBVR projects will include repairs to numerous bridges, partial replacement of a bridge, replacement of 5,000 ties, and the submission of two Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant applications that, if successful, could be used for the replacement of 10.8 miles of rail and three locomotives. The WVCR projects include bridge repairs, tie replacement, and tunnel repair. In FY 2023, for Cass, the DMTF – Rail will complete the replacement of a bridge between Cass and Durbin

and tie replacements. The section of the Cass Railroad between Cass and Durbin has been out-of-service since the 1985 flood. Once this bridge project is completed, this section of rail line can be reopened to tourists visiting West Virginia.

Parkways Authority

The West Virginia Parkways Authority will continue its major highway, bridge rehabilitation, and travel plaza reconstruction schedule during the 2023 construction season. In 2023, the Parkways Authority will have projects that include pavement replacement of the I-64/I-77 Interchange Ramps near milepost (MP) 40 and will bid mill and inlay contracts for high-priority areas along the entire length of the West Virginia Turnpike. Bridge replacement projects will be let for the replacement of five bridge decks at MPs 13.73 NB, 13.79 NB, 16.93 NB, and 62.6 NB/SB.

In May 2022, the Parkways Authority approved the expenditure of \$152 million spread over three fiscal years to revamp the Turnpike's travel plazas. In November, Governor Justice unveiled the architectural renderings and plans for the complete reconstruction of three travel plazas on the West



The WVDOH hopes to have all sections of Corridor H between Parsons and Davis under design by 2024. Looking towards Kerens as bridge piers are being erected on the Kerens to Parsons section of Corridor H. Work in the distance is on Section 1, between Kerens and U.S. 219. The contractor is Kokosing Construction Company, Inc., Westerville, Ohio.

2023 WVDEP AML Regular (Non-Water) Reclamation - NORTH			
Project Name	County	Potential Bid Date	Estimate
White Hall (Mullins) Mine Fire Phase II	Marion	January 2023	\$1,400,000
Adrian (Black Lick Run) Portal	Upshur	February 2023	\$89,000
Chisler Knob Portal	Monongalia	February 2023	\$226,600
Owl Creek #2 Highwall	Monongalia	February 2023	\$2,159,900
Skidmore Site (Canyon Mine) Maintenance	Monongalia	March 2023	\$199,600
Bridgeport Hill Portals	Harrison	March 2023	\$102,000
Flatbush Highwall	Randolph	March 2023	\$901,600
Fords Run Drainage	Barbour	March 2023	\$1,332,500
Sardis (Saas) Landslide	Harrison	April 2023	\$1,899,800
Kempton Refuse Rehabilitation	Tucker / Preston	April 2023	\$1,621,900
Steadman/Erickson Maintenance	Ohio	April 2023	\$2,291,800
Green Valley Road (Laughlin) Landslide	Harrison	May 2023	\$362,100
Clarksburg (Hill) Landslide	Harrison	May 2023	\$522,600
Pell Road Doser	Preston	May 2023	\$1,300,000
Kuhns Run Park Portals	Marion	June 2023	\$1,125,000
Long Run #3	Taylor	July 2023	\$435,000
Mtn View Portals	Preston	September 2023 for November 2023 tree clearing	\$1,477,800
JD Miller RAMP Site	Ohio	September 2023 for November 2023 tree clearing	\$530,400
Valley Camp	Ohio	September 2023 for November 2023 tree clearing	\$406,200
Fairfield Highwall	Monongalia	October 2023	\$1,601,600
Francis Drainage Maintenance	Harrison	January 2024	\$950,000
TOTAL			\$20,935,400

2023 WVDEP AML Regular (Non-Water) Reclamation - SOUTH			
Project Name	County	Potential Bid Date	Estimate
Wilkinson (Vance) Portals	Logan	January 2023	\$280,800
Tralee Mine Dump & Drainage	Wyoming	February 2023	\$252,600
Accoville (Compton) Portals & Structures	Logan	February 2023	\$247,900
Staten Run Drainage & Refuse*	Kanawha/Fayette	March 2023	\$193,200
Belle (Sneed) Drainage	Kanawha	Q2 2023	\$120,000
Ethel Hollow Phase II	Logan	Q2 2023	\$900,000
Paint Branch Complex	Kanawha	Q2 2023	\$856,000
Blue Knob Complex	Clay	Q2 2023	\$226,000
Carbondale (Hill) Portals Phase II	Kanawha	Q2 2023	\$438,000
Sullivan Refuse & Clogged Stream**	Raleigh	Q4 2023	\$620,000
TOTAL			\$4,134,500

* - Potential U.S. Fish & Wildlife Delays

** - Potential U.S. Corp of Engineers Delays

Virginia Turnpike. The Authority plans to put the construction of the Beckley and Bluestone travel plazas out for bid in early 2023. These plans call for expanded food concepts, a 24/7 Mountain State Market convenience store, outdoor dining options, expanded parking for tractor-trailers and passenger vehicles, EV charging stations, separated vehicle and tractor-trailer fueling options, picnic area, and pet relief areas. Construction of the Beckley and Bluestone travel plazas is expected to be completed by late 2024. Renovations to the third facility, the Morton Travel Plaza near Burnwell, will begin in 2025.

Other work to be performed is described as follows: bridge painting, bridge deck overlays/sealing,

bridge/facilities retrofit, guardrail replacement, culvert repair, sign replacement/overlays, pavement striping and markings, full-depth concrete repairs, roadway lighting, slope reconditioning, bridge shotcrete repairs, facilities repairs, and tree cutting.

During the 2023 construction season, the Parkways Authority intends to award more than \$203.8 million in contracts for highway and bridge rehabilitation projects, travel plaza reconstruction, facilities construction, and upgrade projects.

**HAROLD WARD
SECRETARY
WEST VIRGINIA DEPARTMENT
OF ENVIRONMENTAL
PROTECTION**

The West Virginia Department of Environmental Protection administers many programs designed to promote a healthy environment. Air, land, water, and waste pollution and control all fall under the department's jurisdiction. Work performed by contractors for the WVDEP improves communities and human health through mining reclamation and increasing the availability and cleanliness of water.

Projects are funded through various state and federal sources, such as the Clean Water State Revolving Fund program, Abandoned Mine Lands and Reclamation program, forfeited bond collections, and a portion of the tax placed on coal. Continued funding for these programs is critical and the WVDEP works diligently to ensure as many projects as possible are funded and implemented.

Abandoned Mine Lands Program

The Office of Abandoned Mine Lands and Reclamation (AML) was created in 1981 to manage the reclamation of lands and waters affected by mining before passage of the Surface Mining Control and Reclamation Act (SMCRA) in 1977. The AML program is funded by a fee placed on coal, currently set at 28 cents per ton for surface-mined coal, and 12 cents per ton for coal mined underground.

The mission of the program is to protect public health, safety, and property from past coal mining and enhance the environment through the reclamation and restoration of land and water resources.

The tables included on pages 11 and 12 include the projects scheduled for 2023 construction.

[Editor's Note: The Infrastructure Investment and Jobs Act signed into law November 15, 2021 reauthorizes the abandoned mine land (AML) reclamation fee for another 13 years. The nation's Surface Mining Control and Reclamation

Act, first passed in 1977, was set to expire September 30, 2021. Historically, WVDEP received about \$25 million annually for AML projects. IIJA will provide about \$146 million annually to reclaim some of the state's 140,355 acres of abandoned mine lands. WVDEP did not receive this year's new allocation until November. The department has selected nine engineering firms who are currently designing 37 individual projects that will be out for bid late 2023 and 2024. These projects are on the agency's website. The WVDEP will have about \$146 million on annual basis which will be reflected in next year's forecast issue.]

Office of Special Reclamation

The Office of Special Reclamation reclaims land and treats water on all bond-forfeited coal mining permits in West Virginia to protect public health, safety and property. Bond-forfeited coal mine permits in West Virginia may be comprised of any combination of mining activity, including dangerous high walls, unsealed underground portals, shafts, boreholes, leaking impoundments, ponds, refuse piles, abandoned prep plants

WVDEP AML Waterline Projects 2023	
Project Name	Estimated Cost
Dennison Run & McAvoy Run Extensions (Cowen PSD)	\$1,250,000
Snow Hill Extension (Wilderness PSD)	\$430,000
Coalton Water System Improvements AMLER (Town of Womelsdorff)	\$2,600,000
Brenton-Baileysville Extension AMLER (Town of Pineville)	\$3,500,000
South Sand Branch Road Extension (Raleigh Co. PSD)	\$600,000
TOTAL	\$8,380,000

Office of Special Reclamation FY 2023 Projects		
Project Name	County	Est. Cost
ENERGY MARKETING CO. INC.	BARBOUR	\$848,500
KANAWHA DEVELOPMENT CORP.	FAYETTE	\$2,048,070
ROYAL SCOT MINERALS, INC.	GREENBRIER	\$304,750
ROBLEE COAL COMPANY, INC.	LEWIS/UPSHUR	\$898,041
SHAFFER BROTHER CONSTRUCTION, INC.	MONONGALIA	\$715,753
WILLIAMS CONSTRUCTION	NICHOLAS	\$325,780
INTER-STATE LUMBER COMPANY, INC.	PRESTON	\$900,000
LILLYBROOK COAL CO.	RALEIGH	\$869,688
BUFFALO COAL COMPANY, INC.	TUCKER	\$480,846
TOTAL		\$7,391,428

and other infrastructure, debris, extensive areas of no vegetation, and acid mine drainage. The OSR eliminates these hazards. Funding for the program comes from bond forfeitures, civil penalties, and the Special Reclamation Tax on mined coal.

The table above lists OSR projects scheduled for competitive bidding in 2023.

Clean Water State Revolving Fund

The Clean Water State Revolving Fund (CWSRF) provides funding to municipal wastewater systems to ensure West Virginia communities will have a safe and healthy environment.

This year, the CWSRF program received federal funding through the

WVDEP CWSRF - Bidding Forecast for 2023 - Sewer Projects				
Project Name	County	Description	Bidding Status	Project Cost
Benwood	Marshall	Sewer Separation Project	Dec-22	\$ 3,682,900
Bradshaw	McDowell	WWTP Upgrade & Sytem Improvements	Dec-22	\$ 6,208,000
Richwood	Nicholas	WWTP Upgrade & Sytem Improvements	Dec-22	\$ 7,450,000
Clay	Clay	WWTP Upgrade & Sytem Improvements	Dec-22	\$ 7,091,500
McDowell Co. PSD - laeger	McDowell	New Collection and Treatment System	Mar-23	\$ 7,900,000
Mingo Co PSD	Mingo	Extension Project	Mar-23	\$ 5,433,000
Claywood Park PSD	Wirt	Repair and Replacement Project	Mar-23	\$ 7,000,000
Hinton	Summers	CSO Abatement	Mar-23	\$ 5,000,000
Mercer Co PSD	Mercer	Collection System Improvements	Mar-23	\$ 2,800,000
Mineral Wells PSD	Wood	Collection System Improvements	Mar-23	\$ 9,023,000
North Beckley PSD	Raleigh	Improvements Project	Mar-23	\$ 4,853,000
Canaan Valley PSD	Tucker	Extension Project	Jun-23	\$ 3,405,000
Shady Spring - Glenn Morgan	Raleigh	WWTP Upgrade & Sytem Improvements	Jun-23	\$ 8,250,000
Oak Hill	Fayette	Collection System Improvements	Jun-23	\$ 7,163,000
Weirton	Brooke	WWTP Upgrade & Sytem Improvements	Dec-23	\$ 30,000,000
New Creek PSD	Mineral	I/I Rehab and Replacement	Dec-23	\$ 7,000,000
TOTAL				\$ 122,259,400



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U.S. Environmental Protection Agency for the base funding allotment and an additional allotment from the Bipartisan Infrastructure Law (BIL). A 20 percent and 10 percent state match was provided by the West Virginia Infrastructure and Jobs Development Council to secure the base and BIL funding, respectively. Additional money is made available each year through repayments of previous loans and investment earnings.

Since the program began in 1991, more than \$1.4 billion has been loaned for 407 community projects for new or improved wastewater treatment facilities. While much has been accomplished in the past, many more needs still must be addressed in the future.

The 2023 bidding and construction forecast for sewer projects expected to be funded, in part, by the CWSRF program can be found on the chart included on page 12. The estimated total project cost for these sewer projects is \$122.3 million. The projects listed are projected to proceed to construction depending on the availability of funding and the ability of the owner to move the projects forward.

Office of Oil and Gas (OOG)

The Office of Oil and Gas (OOG) maintains records on over 60,000 active and 15,000 inactive oil and natural gas wells in West Virginia and ensures that surface and groundwater are protected from oil and gas

activities. OOG also manages the Abandoned Well Plugging and Reclamation Program (ABWP), whose principal objective is to remediate, reclaim, and/or plug abandoned oil and natural gas wells and sites for which no responsible party can be determined.

The ABWP is primarily funded through surcharges on oil and gas well work permits and permit modification fees, and through a portion of severance taxes collected from the sale of natural gas and/or oil from certain active wells.

[Editor's Note: The Infrastructure Investment and Jobs Act provides \$4.7 billion to plug, remediate and reclaim orphaned wells via grants to the states and new federal programs. In August 2022, it was announced West Virginia will receive \$25 million for this year's federal share to reclaim 160 orphaned wells throughout the state. WVDEP estimates there are at least 4,646 documented orphan wells in West Virginia that will be eligible for funding under this initiative. The WVDEP has bid a number of projects in 2022 and will continue through 2023.]

CHRISTOPHER W. THOMAS, EIT
WEST VIRGINIA DRINKING
WATER TREATMENT REVOLVING
FUND
WEST VIRGINIA DEPARTMENT
OF HEALTH AND HUMAN
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Water and wastewater construction projects will almost double in 2023 due to the passage of the Infrastructure Investment and Jobs Act (IIJA) in November 2021. The Tygart Lake State Park wastewater project consists of a 20,000 GPD treatment plant. J.F. Allen Company, Buckhannon, constructed the plant in the Taylor County park.

The West Virginia Drinking Water Treatment Revolving Fund (DWTRF) program provides below-market rate loans to public water systems for capital projects to ensure the public has drinking water that meets the requirements of the Safe Drinking Water Act. The DWTRF program receives funding for the construction of drinking water projects from the U.S. Environmental Protection Agency (EPA) and state-matching funds from the West Virginia Infrastructure and Jobs Development Council (IJDC). These funds, combined with loan repayments and interest, become the construction fund which is used

West Virginia Drinking Water Treatment Revolving Fund			
Project	County	Tentative Bid Date	Total Project Cost
Alderson, Town of - Weater System Upgrade and Ext.	Greenbrier	August	\$9,013,000
Berkeley County PSWD - Pikeside Water Main Replacement	Berkeley	January	\$12,950,000
Clarksburg, City of - Phase 3A Line Upgrade-Lead Service Line Replacement	Harrison	May	\$28,441,000
Craigsville PSD - Water Treatment Plant Improvements	Nicholas	October	\$15,530,500
Gauley River PSD - Route 39 Water Service Ext.	Nicholas	June	\$1,845,000
Jumping Branch-Nimitz PSD	Summers	December	\$7,445,000
Lubeck PSD - New England Road Ext	Wood	June	\$1,415,000
Midland PSD - Bowden Ext.	Randolph	August	\$3,765,000
Nettie-Leivasy PSD - Ward-McCutchen Ext	Nicholas	December	\$6,400,000
New Haven PSD (Contract 18)	Fayette	July	\$4,620,265
New Haven PSD (Contract 19)	Fayette	July	\$7,048,013
Parkersburg Utility Board - Water Treatment Plant Improvements	Wood	June	\$12,632,200
Triadelphia, Town of - Line Upgrade and Replacement Project	Ohio	August	\$4,410,000
Worthington, Town of - Phase Water System Improvements	Marion	April	\$3,666,390
TOTAL			\$119,181,368

to provide below-market low interest rate loans and principal forgiveness loans to drinking water systems. Loan rates and principal forgiveness funds are dependent on several factors as detailed in our most recent Intended Use Plan, which is available on our website at: <http://oehs.wvdhhr.org/eed/infrastructure-capacity-development/intended-use-plans/>.

Since the start of the program and through the end of State Fiscal Year (SFY) 2022, the DWTRF program has accumulated \$413 million from the EPA, IJDC state match, and repayments, including earned interest to be used for drinking water construction loans.

In SFY 2022, the DWTRF program closed \$37.6 million in eleven loans for eight projects. Through the end of SFY 2022, the DWTRF program has cumulatively closed 179 loans on projects totaling \$315 million. DWTRF received four separate EPA grants in September

2022. The Base Capitalization Grant and the Bipartisan Infrastructure Law (BIL) Supplemental Grant combined will make approximately \$23.8 million available for construction projects. A Lead Service Line Replacement Grant will make available approximately \$24.5 million for the identification, planning, design, and replacement of lead service lines. An Emerging Contaminants Grant to provide approximately \$7.4 million for the construction of treatment or mitigation facilities to address emerging contaminants in drinking water with a focus on projects addressing perfluoroalkyl and polyfluoroalkyl substances (PFAS) in drinking water.

The West Virginia Department of Health and Human Resources anticipates fourteen DWTRF partially or fully funded water projects, totaling approximately \$119 million, will advertise bids in the calendar year 2023. The total project costs and tentative bid dates for these projects are listed on page 14.

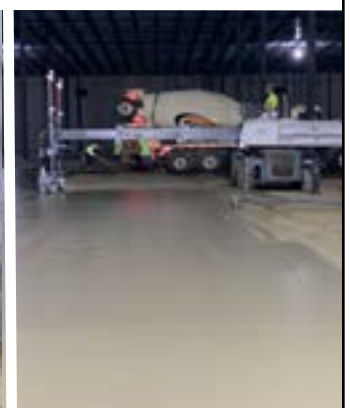
**MARIE PREZIOSO
EXECUTIVE DIRECTOR
WEST VIRGINIA WATER
DEVELOPMENT AUTHORITY**

The West Virginia Water Development Authority (Authority) in the Fiscal Year ending June 30, 2022, closed 118 loans and grants for a total of \$132,179,364 in water, sewer, and economic development projects with funding from the Authority, the Infrastructure and Jobs Development Council (Council), and the State Revolving Loan Fund programs. Many of these projects also received funding from other federal and state programs.

The Critical Needs and Failing Systems program was funded again for the third fiscal year. Under the provisions of Senate Bill 589 passed in 2020, the Authority established this fund. This program provides funding and an expedited process for projects meeting critical needs when there is loss of service or a potential loss of service to custom-

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West Virginia Department of Administration 2023

Project	Location	Estimated Range
East Campus Warehouse Project	Charleston	\$9 - \$13.5 Million
Building 4 Renovations	Charleston	\$24 - \$30 Million
Main Capitol North Portico Steps (2 Phases)	Charleston	\$4 - \$6 Million
Elevator Modernizations (Phase 2)	Charleston	\$3 - \$6 Million
HVAC Modifications in Campus Buildings 5/6/7	Charleston	\$2 - \$5 Million
Main Capitol East & West Wing HVAC Renovations (Phase 2) & Start of East Wing	Charleston	\$3 - \$5 Million
Main Capitol Exterior Lighting Project (Phase 2)	Charleston	\$2 - \$3 Million
Capitol Campus Heat Distribution System Upgrades	Charleston	\$8 - \$12 Million
Building 22 Revenue Center Interior Renovations	Charleston	\$1.5 - \$3 Million
Building 36 Facade Restoration	Charleston	\$8 - \$12 Million
TOTAL ESTIMATED RANGE		\$64,500,000 - \$95,500,000

ers. This program also initially funded water and sewer line extensions to new customers when the total project cost was under one million dollars. Senate Bill 584, passed during the 2022 Regular Session, raised the total project cost to under two million dollars and allows an additional 10 percent of the project cost for any overages. To date, this program has approved funding for 98 projects.

At the special session in April, leg-

islation was passed that authorized \$250 million to fund the West Virginia Economic Enhancement Grant Fund (EEGF) at the Authority. During the 2022 regular session, legislation (HB 4566) was passed creating this Fund. This Legislation allows water, wastewater and stormwater projects to receive the funding needed for bid overruns, providing matches needed to receive Federal dollars, funding projects that extend or expand water, stormwater, and/or wastewater

service to enhance economic development or for unserved areas in the State. It can be used for covering costs for utilities who agree to merge and for infrastructure projects that enhance economic development and/or tourism.

Since June, the Authority has approved EEGF funding for 51 projects totaling over \$145 million with total project costs exceeding \$660 million. This included funding for eight bid overrun projects which al-



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WEST VIRGINIA INFRASTRUCTURE AND JOBS DEVELOPMENT COUNCIL						
CURRENT WATER & SEWER BINDING COMMITMENTS						
	PROJECT	IJDC #	LOAN	GRANT	IJDC TOTAL	PROJECT COSTS
1	BELLE SANITARY BOARD	2021S-1937	\$ -	\$ 394,000.00	\$ 394,000.00	\$ 861,128.00
2	BROOKE COUNTY PSD	2021S-1945	\$ 5,450,000.00	\$ 500,000.00	\$ 5,950,000.00	\$ 6,500,000.00
3	BUFFALO CREEK PSD	2018S-1752	\$ 1,543,000.00	\$ -	\$ 1,543,000.00	\$ 3,743,000.00
4	BUFFALO, TOWN OF	2020S-1901	\$ -	\$ 577,742.00	\$ 577,742.00	\$ 577,742.00
5	CANAAN VALLEY PSD	2022S-2063	\$ -	\$ 1,500,000.00	\$ 1,500,000.00	\$ 9,500,000.00
6	CENTRAL HAMPSHIRE PSD	2020W-1874	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 4,975,000.00
7	CEREDO, TOWN OF	2021S-1946	\$ -	\$ 146,500.00	\$ 146,500.00	\$ 293,000.00
8	CHESTNUT RIDGE PSD	2019W-1835	\$ 1,897,500.00	\$ 1,000,000.00	\$ 2,897,500.00	\$ 5,300,000.00
9	CLAY, TOWN OF	2019S-1793	\$ -	\$ 925,000.00	\$ 925,000.00	\$ 7,091,500.00
10	ELIZABETH, TOWN OF	2019W-1854	\$ 880,000.00	\$ 880,000.00	\$ 1,760,000.00	\$ 1,760,000.00
11	ENLARGED HEPTZIBAH PSD	2019W-1819	\$ 1,893,000.00	\$ -	\$ 1,893,000.00	\$ 2,177,500.00
12	GRANDVIEW-DOOLIN PSD	2022W-2142	\$ -	\$ 330,000.00	\$ 330,000.00	\$ 480,000.00
13	GREATER HARRISON COUNTY PSD	2021S-1943	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 1,000,000.00
14	HARDY COUNTY PSD	2021W-2035	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 1,000,000.00
15	HUGHES RIVER WATER BOARD	2021W-2003	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 1,800,000.00
16	HUNTINGTON SANITARY BOARD	2022S-2149	\$ -	\$ 248,500.00	\$ 248,500.00	\$ 248,500.00
17	KEYSER, CITY OF	2021S-1963	\$ -	\$ 700,000.00	\$ 700,000.00	\$ 1,400,000.00
18	LAKE FLOYD PSD	2021S-2036	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 2,320,000.00
19	LOGAN COUNTY PSD	2017W-1690	\$ 1,343,700.00	\$ 500,000.00	\$ 1,843,700.00	\$ 3,382,700.00
20	LOGAN COUNTY PSD	2017W-1721	\$ 2,205,000.00	\$ 500,000.00	\$ 2,705,000.00	\$ 6,125,000.00
21	LUMBERPORT, TOWN OF	2022W-2150	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 520,000.00
22	MARSHALL COUNTY PSD #3	2022W-2095	\$ -	\$ 799,992.00	\$ 799,992.00	\$ 799,992.00
23	MASON COUNTY PSD	2021W-2005	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 2,780,000.00
24	MERCER COUNTY PSD	2020S-1883	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 2,500,000.00
25	MILL CREEK, TOWN OF	2022W-2092	\$ -	\$ 950,000.00	\$ 950,000.00	\$ 1,900,000.00
26	MILTON, CITY OF	2021W-2020	\$ -	\$ 1,311,000.00	\$ 1,311,000.00	\$ 1,311,000.00
27	MINERAL WELLS PSD	2019S-1817	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 9,023,150.00
28	MOUNT HOPE, CITY OF	2022S-2127	\$ -	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00
29	NEW HAVEN PSD	2018W-1760	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 7,048,013.00
30	PENNSBORO, CITY OF	2022W-2128	\$ -	\$ 2,000,000.00	\$ 2,000,000.00	\$ 2,000,000.00
31	PINEVILLE, TOWN OF	2020W-1891	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 8,343,283.00
32	PLEASANTS COUNTY PSD	2021W-1935	\$ -	\$ 310,000.00	\$ 310,000.00	\$ 310,000.00
33	POCAHONTAS COUNTY PSD	2021S-2034	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 3,409,080.00
34	RICHWOOD, CITY OF	2021W-1959	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 2,000,000.00
35	RICHWOOD, CITY OF	2018S-1779	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 7,450,000.00
36	TOWN OF ELLENBORO	2020S-1895	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 2,500,000.00
37	TUNNELTON, TOWN OF	2020S-1893	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 1,616,000.00
38	WEBSTER SPRINGS PSD	2019S-1812	\$ -	\$ 500,000.00	\$ 500,000.00	\$ 3,284,725.00
39	WORTHINGTON, TOWN OF	2019W-1810	\$ -	\$ 1,000,000.00	\$ 1,000,000.00	\$ 3,366,390.00
			LOAN	GRANT	IJDC TOTAL	PROJECT COSTS
TOTAL COMMITMENTS AND PROJECT COSTS			\$ 15,219,700.00	\$ 25,772,734.00	\$ 40,992,434.00	\$ 120,896,703.00

lowed these projects to begin construction immediately and not need to be rebid. The Authority can only accept EEGF applications for water, sewer, or stormwater projects that have been through the Infrastructure and Jobs Development Council review process. Infrastructure Projects applying for EEGF money must obtain a recommendation letter from either the Secretary of Tourism, Commerce, or Economic Development.

Established in 1972 by the West Virginia Legislature, the WDA commenced services in 1974 and is authorized to provide financial assistance to local governmental agencies to help them meet the

requirements of state and federal water pollution control and safe drinking water laws, thereby protecting the health of the state's citizens, improving water quality, and protecting the environment while constructing and upgrading infrastructure to attract economic development. The WDA Board is composed of seven members, chaired by Governor Jim Justice. Ann Urling, the Governor's Deputy Chief of Staff, serves as his designee on the Board. CAWVW Executive Director Mike Clowser was recently appointed by Governor Justice to serve a six-year term on the WDA board.

The WDA is the agency that coordinates the financing and closing of all

infrastructure and economic development loans and grants made from the Infrastructure Fund. The WDA is the administrative oversight agency for servicing loans made from its revenue bond programs, the Infrastructure Fund, and the Drinking Water Treatment Revolving Fund. The WDA also provides administrative services and loan servicing for the Clean Water State Revolving Fund.

WAYNE D. MORGAN, P.E.
EXECUTIVE DIRECTOR
WV INFRASTRUCTURE AND
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cil (IJDC) was created to be West Virginia's funding clearinghouse for water and wastewater projects. Any utility wishing to obtain funds from any state agency must first submit a preliminary application for review by IJDC.

The IJDC includes the Governor as chairman, governor-appointed public members from each congressional district, and representatives from the state's funding and regulatory agencies. This participation coordinates the various funding sources available to maximize the number of water and wastewater projects that go to construction, ultimately providing a better quality of life in West Virginia.

The IJDC 2023 projects and estimated bid dates are provided in the table on page 18.

**MARK SCOTT
CABINET SECRETARY
WEST VIRGINIA DEPARTMENT
OF ADMINISTRATION**



The General Services Division of the West Virginia Department of Administration anticipates construction and renovation projects ranging from \$64.5 million to \$95.5 million on state-owned office buildings and other facilities. Swope Construction Company, Bluefield, was low bidder at \$28,574,330 for renovations to Building 4 at the State Capitol Complex.

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Attorney Robert "Bo" Sweeney (licensed in WV) has a practice based in civil litigation, with a concentration in the defense of mesothelioma and asbestos claims, construction disputes and defending employers in deliberate intent suits.

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Federal funding for airports is now under the new Division of Multimodal Transportation Facilities (DMTF) within the West Virginia Department of Transportation. The state's Aeronautics Division is planning to bid out projects totaling \$28 million in 2023. Blue Gold Development, LLC, Rivesville, is completing a stormwater maintenance project for the FAA at the Fairmont Municipal Airport.

The West Virginia Department of Administration is responsible for maintaining the State Capitol campus, state office buildings, and other state-owned facilities throughout West Virginia which are operated by the Department of Administration. It is the mission of the department to provide a safe and comfortable environment, especially during these times, for all state employees to administer the necessary programs and services more efficiently while maintaining a pleasant atmosphere for those visiting the State Capitol and the state-owned facilities maintained by the Department of Administration.

The General Services Division of the Department of Administration anticipates initiating and continuing construction and renovation

projects ranging from \$64.5 million to \$95.5 million during the 2023 calendar year. The highlighted projects listed on page 16 include historic masonry renovations, mechanical system modifications and upgrades, and interior office space and full building renovations. Please note that these projects are subject to change due to a variety of factors.

Projects on state-owned buildings are announced and bid by the West Virginia Purchasing Division through the wvOASIS enterprise resource planning system. For more information on wvOASIS, visit wvOASIS.gov. For additional information regarding the Department of Administration, visit the department's website at www.administration.wv.gov.

**DANA WOMACK
DIRECTOR OF
ARCHITECTURAL SERVICES
SCHOOL BUILDING AUTHORITY
OF WEST VIRGINIA**

Each year the School Building Authority (SBA) provides "NEEDS" and "MIP/Multi-County Statewide" grants for construction and renovation projects throughout the 55 county school districts. The SBA is grateful to the West Virginia Legislature and the Governor's Office for the continued support that allows the authority to consistently fund projects on an annual basis. As needs in the counties continue to grow, the SBA staff and authority members are always looking for ways to maximize funds for educational facility needs throughout our state.

School Building Authority of West Virginia Needs Grants 2023				
<i>Awarded December 13, 2021</i>				
County	Project Description	Project Cost	Local Funds	Funds Awarded
Cabell	New Meadows Elementary School	\$16,999,000	\$6,999,000	\$10,000,000
Kanawha	Renovations to Cedar Grove Elementary School	\$11,788,285	\$3,288,285	\$8,500,000
Lincoln	New Duval Area PK-8 School	\$27,746,460	\$3,000,000	\$14,746,460 ¹
McDowell	New Consolidated Elementary School (Fall River, Kimball, Welch)	\$18,665,600	\$3,665,600	\$7,500,000 ²
Taylor	Grafton High School Roof Replacement	\$1,183,212	\$363,012	\$820,200
Multi-Year Commitments from Previous Funding Cycles				
Hampshire	New Augusta, Romney, and Slanesville Elementary Schools	\$8,000,000		\$8,000,000 ³
Mineral	New Frankfort PK-4 Elementary School	\$9,573,795		\$9,573,795
TOTALS		\$93,956,352	\$17,315,897	\$59,140,455

1. Indicates an additional SBA commitment of \$10,000,000 in the FY-2023 Funding Cycle.

2. Indicates an additional SBA commitment of \$7,500,000 in the FY-2023 Funding Cycle.

3. Indicates an additional SBA commitment of \$8,000,000 in the FY-2023 Funding Cycle.



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School Building Authority of West Virginia
Major Improvement Project Grants 2023
Awarded June 13, 2022

County	Project Description	Project Cost	Local Funds	Funds Awarded
Cabell	Altizer Elementary School Addition/Renovations	\$2,499,344	\$1,499,344	\$1,000,000
Gilmer	Gilmer County MS/HS/ Animal Processing Renovations	\$791,571	\$79,157	\$712,414
Lewis	Peterson Central & Roanoke ES Safe School Renovations	\$554,304	\$277,152	\$277,152
Mingo	Lenore PK-8 Roof Replacement	\$1,375,726	\$500,000	\$875,726
Monongalia	North ES Stair Tower & Building Connector	\$1,961,302	\$980,651	\$980,651
Monroe	Mountain View PK-8 Cafeteria Expansion & Safe School Entrance	\$1,396,594	\$700,000	\$696,594
Morgan	Berkeley Springs High School Roof Replacement	\$442,719	\$50,000	\$392,719
Pocahontas	Marlinton Elementary Roof Replacement & Boiler Upgrades	\$1,113,434	\$113,434	\$1,000,000
Preston	Preston High School Safe School Entrance	\$298,450	\$149,225	\$149,225
Putnam	Poca High School College & Career Ready Facility Expansion	\$1,427,087	\$427,087	\$1,000,000
Raleigh	Park MS Gym Addition & Renovation	\$9,582,873	\$8,582,873	\$1,000,000
Upshur	Tennerton Elementary School Additions/Renovations	\$1,682,625	\$800,000	\$882,625
Wayne	Wayne MS Safe School Entrance, Walkway Enclosures and Sprinkler Renovations	\$1,702,617	\$702,617	\$1,000,000
TOTALS		\$24,828,646	\$14,861,540	\$9,967,106

Over the past year, the SBA, in partnership with local county support, has contributed to approximately \$120 million in construction and renovation projects throughout the state. These projects are in various stages of design, bidding, and construction but should be completed over the next two years. Like all things, development takes time, but the final product is always rewarding.

Throughout the Covid 19 pandemic, West Virginia's construction landscape has seen many challenges, between inflation, price escalation, material delivery delays, and manpower shortages. The SBA respects the role that West Virginia contractors are playing to help combat these challenges but understands that there is only so much they can do. With these challenges, projects that were pre-





viously funded by the SBA have seen significant increases in costs above the level counties were originally funded.

Observing these increases, the SBA took action and put temporary measures in place. On September 27, 2021, the authority approved Temporary Administrative Guidelines for Supplemental Funding for projects funded by the SBA



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School Building Authority of West Virginia
Multi-County/Statewide Grants 2023
Awarded June 13, 2022

Facility	Project Description	Funds Awarded
Calhoun Gilmer Career Center	Roof Replacement Lower Main Building	\$895,478
Fred Eberle Technical Center	7 New Welding Booths in Welding Classroom	\$260,369
Mid-Ohio Valley Technical Center	Phase II Lighting Project	\$407,943
Roane-Jackson Technical Center	Replacement of Water Treatment Plant	\$680,000
South Branch Technical Center	Addition of 2-Classroom Building	\$948,311
United Technical Center	Exterior Renovations and Interior Flooring	\$429,460
WV Schools for the Deaf & Blind	Safety and Security Upgrades to 4 Buildings	\$624,000
TOTALS		\$4,245,561

for NEEDS grants from April 2021 and beyond. Those guidelines provided detailed steps on how each county's project could qualify and the process they must take. Secondly, the authority on August 11, 2022 approved the postponement of the FY23 NEEDS funding cycle to ensure that funds would be available to support active projects that may need to be supplemented. SBA staff will continue to monitor

the bidding market and report back to the authority so funding can resume as soon as possible.

**BRIGADIER GENERAL
WILLIAM CRANE
WEST VIRGINIA
ARMY NATIONAL GUARD**

The West Virginia Army National Guard has one military construction project that is projected to be

advertised later in 2023. It is for the second phase of the Buckhannon Readiness Center and will be in the range of \$10-15 million. There are also multiple minor construction projects planned during 2023 at various locations throughout the state valued at over \$12 million. The larger projects include HVAC replacements in Glen Jean and Huntington; addition/alterations in Bluefield and Kingwood; a boiler

U.S. Army Corps of Engineers Huntington District Forecast for FY 2023

Advertise Date	NAICS	Project Name	Location	Place of Performance	Range of Magnitude	Anticipated Set Aside
1Q, FY 2023	237110	Burnsville Lake	Burnsville, WV	Water Line Replacement Supplies	<SAT	Small
1Q, FY 2023	238190	Clending Lake	Clending, OH	Fencing Replacement	<SAT	Small
1Q, FY 2023	238210	Tappan Lake	Deersville, OH	Tree removal for electric line installation	<SAT	Small
1Q, FY 2023	333611	Clending Lake	Clending, OH	Generator for Control Structure	<SAT	Small
1Q, FY 2023	333995	Summersville Lake	Summersville, WV	Supply Hydraulic Cylinders for Intake Structures		Small
1Q, FY 2023	541330	Huntington District	Huntington District	Cost Engineering MATOC IDIQ	NTE \$25M	Small
1Q, FY 2023	561720	Burnsville Lake	Burnsville, WV	Cleaning Contract 2023-2027	NTE \$800K	Small
1Q, FY 2023	561730	Alum Creek Lake	Lewis Center, OH	Herbicide 2023-2027		Small
2Q, FY 2023	237990	Clending Lake	Clending, OH	Clending Tunnel Repairs	\$1M - \$5M	Small
2Q, FY 2023	237990	Delaware Lake	Delaware, OH	Bridge deck replacement w/option for lineshafts	\$1M - \$5M	Small
2Q, FY 2023	237990	Sommerdale Levee	Dover, OH	Sommerdale Hardpiping	\$1M - \$5M	Small
2Q, FY 2023	237990	Tappan Lake	Deersville, OH	Seepage Berm	\$1M - \$5M	Small
2Q, FY 2023	237990	Delaware Lake	Delaware, OH	Replace Line Shaft Bearings	\$250K - \$500K	Small
2Q, FY 2023	237990	Tom Jenkins Dam	Gloucester, OH	Paint & Clean Sluice Gates (No crane support by contractor)	\$500K - \$1M	Small
2Q, FY 2023	237990	Deer Creek Lake	Bainbridge, OH	Replace Emergency Generator	\$500K - \$1M	Small
2Q, FY 2023	238210	Capt. Antony Meldahl L&D	Felicity, OH	Wire Rope replacement/ Machine Shed options	\$1M - \$5M	Small
2Q, FY 2023	332311	Summersville Lake	Summersville, WV	Fixed Cone Valve(s)		Small
2Q, FY 2023	339991	Summersville Lake	Summersville, WV	Supply Seals for Intake Gates		Small
2Q, FY 2023	541330	Dam Safety MCX	CONUS	Automated Data Acquisition System IDIQ	NTE \$20M	Large
2Q, FY 2023	721211	Summersville Lake	Summersville, WV	Park Attendant 2023-2027	NTE \$300K	Small
2Q, FY 2023	811310	Alum Creek Lake	Lewis Center, OH	Repair Right Angle Gearbox	<SAT	Small
2Q, FY 2023	811310	Huntington District	Huntington District	Hydraulic Repair Services IDIQ MATOC	NTE \$1M	Unrestricted
3Q, FY 2023	236220	J.W. Flannagan Lake	Haysi, VA	Renovation of Project Office	\$1M - \$5M	Small
3Q, FY 2023	237990	Fishtrap Lake	Shelbiana, KY	Gate Machinery Rehab	\$1M - \$5M	Small
3Q, FY 2023	237990	J.W. Flannagan Lake	Haysi, VA	Rock Slip Repair behind Project Office	\$500K - \$1M	Unrestricted
3Q, FY 2023	541730	Tom Jenkins and Dillon Dams	Gloucester, OH	Mowing and Maintenance IDIQ 2024-2028	NTE \$1.5M	Small
3Q, FY 2023	721211	Sutton Lake	Sutton, WV	Park Attendant 2023 - 2027		Small
3Q, FY 2023	811310	Capt. Antony Meldahl L&D	Felicity, OH	Repair Emergency Gate Motor	<SAT	Small
3Q, FY 2023	811310	Huntington District	Huntington District	Load Handling Equipment Inspection and Repair IDIQ	NTE \$1.5M	Small
3Q, FY 2023	811490	Fishtrap Lake	Shelbiana, KY	Trash Hunter Vessel replacement		Small
3Q, FY 2023	T80	Winfield L&D	Winfield, WV	Cyber Security Contract with option for RCB Security	\$1M - \$5M	Small
4Q, FY 2023	237990	R.D. Bailey Lake	Justice, WV	Guyandotte Bridge Paint & Clean	\$250K - \$500K	Small
4Q, FY 2023	237990	Lower Mud River	Milton, WV	Flood Risk Management, Milton, WV	\$25M - \$100M	Unrestricted
4Q, FY 2023	238210	Fishtrap Lake	Shelbiana, KY	Electrical Rehab/ Lights & Controllers as Options	\$1M - \$5M	Small

*Information subject to change without notice.

replacement in Kingwood; the construction of an aircraft storage facility in Williamstown; and a new generator installation in Moundsville.

**COLONEL JAYSON PUTNAM
DISTRICT COMMANDER
U.S. ARMY CORPS
OF ENGINEERS
HUNTINGTON, WEST VIRGINIA**

Centered along the Ohio River and covering its tributaries in Ohio, West Virginia, Kentucky, Virginia, and North Carolina, the Huntington District's mission is to protect the nation's aquatic resources while enhancing the region's economy. We do this by pioneering solutions with regional and national partners and volunteers to ensure water navigation, reduce flood risk, encourage recreation, preserve, and restore streams and ecosystems, and prepare for and respond to disasters.

In support of this mission in Fiscal

Year 2022, the Huntington District contracted \$137.9 million to execute its mission goals.

As an organization, we have a couple of overarching principles that help guide our path to success. We strive to build resiliency in the workforce through recruitment, resourcing, and retaining a nationally recognized and respected team of professionals.

We deliver results by engineering solutions to the natural and infrastructure challenges of the nation, responding to natural disasters and maintaining locks and dams, water navigation, and the inevitable deterioration of infrastructure over the course of time and nature.

We inspire relationships by working with our partners and stakeholders, local, regional, and national leaders, and the public to ensure safe and effective solutions are communicated and delivered.

To meet current and future mission goals, contractor involvement and support are required as we rely upon our contractors to provide knowledge and cutting-edge solutions to assist in project completion.

Check out our Forecast of Opportunities on page 26 and let us know your capabilities by uploading your firm's information and chatting with our team. Upcoming opportunities can be found at <https://www.lrh.usace.army.mil/Business-With-Us/SmallBusinessProgram>.

**JENNIFER SKAGGS
INTERIM EXECUTIVE DIRECTOR
WEST VIRGINIA
CONSERVATION AGENCY**

The West Virginia Conservation Agency regularly oversees a variety of construction projects around the state. The 14 conservation districts in West Virginia utilize a public competitive bid process for project con-



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Several unspecified projects are anticipated to be bid in 2023, including dam repair projects, by the West Virginia Conservation Agency. Numerous projects were begun in 2022, including seep repair on Elk Two Mile No. 14 in Kanawha County being performed by Eastern Arrow Corporation, Inc., Charleston.

tracts above \$2,500.

These projects include, but are not limited to, flood recovery/stream blockage removal; EPA Section 319 non-point source projects; debris removal; and operation, maintenance, and repair on flood control structures. The projects are site-specific. In order to complete these projects,

the districts will hold job showings. All bidders/contractors are welcome and encouraged to attend district job showings. WVCA encourages all interested contractors to visit www.wvca.us/proposedprojects/index.cfm.

Among the projects we anticipate will be bid in 2023 are the installation of new trash racks on dam risers in

the Northern Panhandle, Eastern Panhandle and Elk conservation districts, as well as other dam repair projects within the state.

Several unspecified projects are anticipated in 2023. The projects will be prioritized based on need and available funding.

In 2022, several projects were started or completed, including seep repair work at South Fork No. 5 in Hardy County, Upper Buffalo No. 4 in Marion County and Elk Two Mile No. 14 in Kanawha County; a slip repair and drainage improvements at Upper Grave Creek No. 1 in Marshall County; and multiple trash rack installations across the state.

Operations and maintenance work such as mowing, tree/brush removal and spraying will also be competitively bid in 2023.

The mission of the West Virginia Conservation Agency is to provide

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for and promote the protection and conservation of West Virginia's soil, land, water and related resources for the health, safety and general welfare of the state's citizens.

RYAN THORN
WEST VIRGINIA STATE
DIRECTOR
USDA RURAL DEVELOPMENT

The United States Department of Agriculture (USDA), through its Rural Development agency, administers various programs designed to strengthen rural economies with the expansion of water and wastewater infrastructure in rural areas.

Rural Development's Water and Environmental Program (WEP) provides loans and grants for drinking water, sanitary sewer, solid waste, and storm drainage facilities in rural areas and cities and towns with populations of 10,000 or less. This federal program is intended to finance the construction of such projects and also to pro-

USDA Rural Development – West Virginia FY 2023 Funding Commitments (Water & Wastewater)				
Project	Type	County	Loan Amount	Grant Amount
Norton-Harding-Jimtown PSD	Sewer	Randolph	\$0	\$363,000
West Milford, Town of	Water	Harrison	\$603,000	\$0
Grafton, City of	Sewer	Taylor	\$4,900,000	\$1,000,000
Stonewood, City of	Sewer	Harrison	\$3,500,000	\$900,000
Tyler County PSD	Water	Tyler	\$1,015,000	\$675,000
Bluewell PSD	Water	Mercer	\$480,000	\$487,000
Milton, City of	Sewer	Cabell	\$1,000,000	\$2,552,000
Tyler County PSD	Water	Tyler	\$318,000	\$500,000
Greenbrier County PSD #2	Sewer	Greenbrier	\$20,000,000	\$2,032,000
Lewisburg, City of	Water	Greenbrier	\$6,000,000	\$9,230,000
Mason County PSD	Sewer	Mason	\$5,100,000	\$2,850,000
Adrian PSD	Water	Upshur	\$0	\$1,863,000
Tunnelton, Town of	Sewer	Preston	\$0	\$30,000
Kermit, Town of	Water	Mingo	\$2,433,000	\$1,000,000
TOTALS			\$45,349,000	\$23,482,000

vide supervised credit.

Each fiscal year, WEP receives a loan and grant allocation for supporting projects throughout the State of West Virginia. During fiscal year 2022, Rural Development committed loan funds totaling \$45,349,000 and grant funds total-

ing \$23,482,000 to fourteen WEP projects within the state. These federal funds, along with state and local funds, will benefit approximately 41,000 residents throughout rural West Virginia.

See the list of USDA projects planned for 2023 above.



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**BRETT MCMILLION
DIRECTOR
WEST VIRGINIA DIVISION
OF NATURAL RESOURCES**

West Virginia State Parks and Forest's mission is to "promote conservation by preserving and protecting natural areas of unique or exceptional scenic, scientific, cultural, archaeological or historical significance and to provide outdoor recreational opportunities for the citizens of this state and its visitors."

This mission statement, embodied in state law, has been the guiding principle for operating the West Virginia park system since its inception in the late 1920s. The system is composed of 35 state parks, seven state forests, five wildlife management areas, the Greenbrier River Trail, and the North Bend Rail Trail. Projects are bid through the state Purchasing Division.

The WVDNR 2023 projects, supplied by Barrow A. Koslosky, AIA NCARB, chief of planning, engineering and maintenance, are listed on the tables on page 31.



Hawks Nest State Park unveiled more than \$7 million in renovations funded by increased funding and the sale of bonds. The bulk of the funding, about \$5 million, went to improving the park's lodge. The upgrades include an outdoor pool, an updated lobby, public restrooms, ADA accessibility, landscaping and renovated lodge rooms. Another \$2 million went to improving the museum. West Virginia Division of Natural Resources officials wanted the upgrades at Hawks Nest due to the New River George being named America's newest national park.

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WVDNR Wildlife Projects 2023	
Project	Amount
Buffalo Public Access Site Renovation and Repairs	\$150,000
District 4 New Office and Storage Building	\$5,000,000
Edray Hatchery New Raceways and Wastewater Treatment	\$6,000,000
Elkins Operation Center HVAC Renovation	\$500,000
Grafton Public Access Site New Public Access Site	\$250,000
Leon Public Access Site Renovation and Repairs	\$150,000
Meadow River WMA New Wetlands	\$350,000
Parkersburg Little Kanawha River New Law Enforcement Boat Dock	\$400,000
Pendleton Dam at Blackwater Falls State Park Spillway Upgrade	\$1,000,000
Reeds Creek Hatchery Spring Box Repair	\$400,000
Ridge Hatchery New Raceways and Wastewater Treatment	\$6,000,000
System Wide Shooting Range Lead Removal	\$1,000,000
West Fork River 10 Public Access Sites New Locations & Renovations	\$2,000,000
TOTAL	\$23,200,000



WVDNR State Parks Projects 2023		
Location	Project Description	Estimated Cost
Beech Fork State Park	25 New Cabins	\$4,850,000
	Wastewater System Repairs	\$150,000
Blackwater Falls State Park	Trading Post Wastewater System Improvements	\$500,000
	Trading Post Overflow Parking Improvements	\$250,000
Blennerhassett Island State Park	Ferry Boat Dock Electrical Upgrades	\$130,000
Cacapon Resort State Park	New Mountain Bike Trails	\$2,700,000
Canaan Valley Resort State Park	Wastewater System Improvements	\$4,600,000
	Wetlands Boardwalk System	\$1,000,000
Coopers Rock State Forest	Wastewater System Improvements	\$2,700,000
	Overlook Pedestrian Bridge Replacement	\$450,000
	Rhododendron Campground Pump Station	\$100,000
Hawks Nest State Park	Lodge Lift Station	\$250,000
	CCC Pavilion Roof Replacement & Structural Repairs	\$500,000
North Bend State Park	Cokeley Campground New Equestrian Campground Addition	\$900,000
	Existing Tram Demolition, Site Prep, and New Tram Completion Package	\$1,500,000
Pipestem Resort State Park	Upper & Lower Tram Buildings, and Mountain Creek Lodge Complex. Fire Alarm & Sprinkler Upgrades	\$250,000
System Wide	Comfort Station and Bathhouse Improvements	\$8,500,000
TOTAL		\$29,330,000

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Mountain State Contractors Need to be Nimble in 2023

*By Ken Simonson, Chief Economist
Associated General Contractors of America*



Construction activity in West Virginia rebounded in 2022. Staging a repeat in 2023 will require contractors to adapt to changing demand conditions amid a slowing economy and higher interest rates.

Industry employment in the first 10 months of 2022 hovered close to the same level as in February 2020, the month before the coronavirus pandemic sent employment tumbling, both statewide and nationally. That was a big improvement over the previous two years. Seasonally adjusted construction employment in West Virginia plummeted 14% over seven months, from 33,100 in February 2020 to 28,400 that September. (Seasonal adjustment is a statistical method to account for month-to-month variation due to regularly recurring factors such as holidays and normal weather patterns.) By January 2022 employment had recovered to match the February 2020 total, and it stayed near that level through the year.

Construction spending has revived even more strongly. Data from ConstructConnect shows the value of projects started in the first 10 months of 2022 totaled \$1.72 billion, a 67% jump from the same period in 2021. Many of those starts will carry over into—or even beyond—2023, providing a solid backlog for some contractors.

However, one source of growth in 2022 is almost sure to be absent in 2023: residential construction. The sharp runup in financing costs, along with continued escalation in construction costs, at a time when many households cannot afford a further rent increase, means that numerous apartment projects are likely to be put on hold or canceled. While some developments are still under construction, permits for future starts have plunged. U.S. Census Bureau

figures show the number of permits issued in West Virginia to build multi-family housing with five or more units nosedived from 556 in the first 10 months of 2021 to 302 in same span of 2022—a 46% decrease.

Other project types that depend on rental income to cover financing and construction costs are also vulnerable, particularly with demand cooling as economic growth slows. These at-risk categories include warehouse, retail, office, and hotel construction.

Three broad construction segments have much brighter prospects: manufacturing, renewable energy, and infrastructure. Manufacturing construction has already kicked into high gear: Census data shows spending on manufacturing construction nationally in October 2022 was one-third greater than in October 2021. ConstructConnect reported that the value of U.S. manufacturing starts in the first 10 months of 2022 was nearly triple the total for same period in 2021, which suggests manufacturing construction put in place will be even more active in 2023 than it has been in 2022.

Infrastructure spending is poised to grow across numerous categories. President Biden signed the Infrastructure Investment and Jobs Act in November 2021 and the White House reported on the anniversary date that \$185 billion of spending had already been “released.” Yet little if any of the money has turned into construction activity so far, as the money works its way through rulemakings and various agencies. That is expected to change soon and to lead to sustained spending increases, most likely starting early in 2023.

Power construction categories include wind and solar power generation, plus transmission, local distri-

bution, storage, and battery charging stations. Spending on these projects should increase substantially in 2023, stemming from a mix of sources including private capital, federal grants and tax credits, and state and local agency funds.

Getting projects built on time will remain a major challenge in the face of ongoing shortages of skilled workers and unpredictable supply bottlenecks. Three of these bottlenecks appear likely to persist in 2023. As of October 2022, the Portland Cement Association reported that cementitious materials were in shortage in 43 states. The situation could worsen as infrastructure spending ramps up while deliveries of concrete are constrained by a lack of new cement capacity and the shutdown of coal-fired powerplants that had supplied slag and fly ash. The supply of semiconductors to power vehicles, offroad equipment, and “smart” tools remains shy of demand. And extreme lead times persist for some electrical gear.

A shortage of skilled workers could outlast any of these materials shortfalls. In nearly every month of 2022, the number of job openings in construction at the end of the month has exceeded the number of employees hired that month, a situation that never existed before 2020. That implies construction firms wanted to hire more than twice as many employees as they did. The employment outlook is especially dire in West Virginia because the state has lost population for nine years in a row.

In short, there will be many opportunities for projects to bid on in 2023. But they are likely to be in different market segments from the past few years. And finding the workers to execute projects will be a major challenge.



Economic Impact of Construction in the U.S. and West Virginia

Economic Impact of Construction:

- U.S. gross domestic product (GDP)—the value of all goods and services produced in the country—totaled \$23.0 trillion in 2021; construction contributed \$959 billion (4.2%).
- In West Virginia, construction contributed \$3.4 billion (3.9%) of the state's GDP of \$87 billion.
- There were 872,000 construction establishments in the U.S. in 2021, including 4,400 in West Virginia. (An establishment is a fixed business location; about 99% of construction firms have only one establishment.)

Construction Spending:

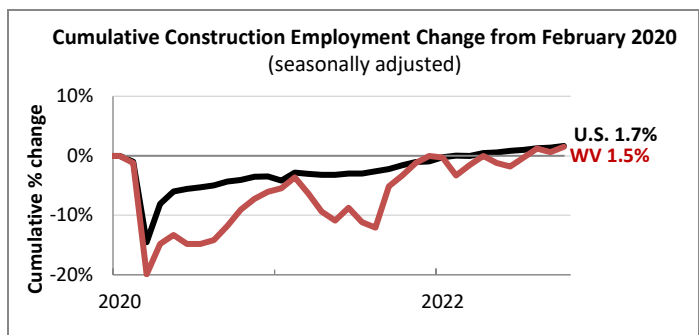
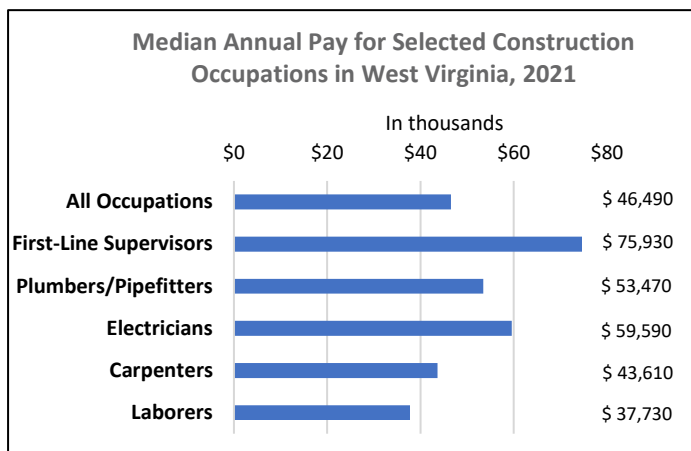
- Nonresidential spending in the U.S. totaled \$823 billion in 2021 (\$486 billion private, \$338 billion public).
- Residential construction spending in the U.S. totaled \$803 billion (\$423 billion single-family, \$101 billion multifamily, \$269 billion improvements, \$9 billion public).
- Private nonresidential spending in West Virginia totaled \$533 million in 2021. State and local spending totaled \$1.7 billion. (Totals are not available for residential, railroad, power, communication, or federal construction.)

Construction Employment (Seasonally Adjusted):

- Construction (residential + nonresidential) employed 7.7 million workers in November 2022, an increase of 248,000 (3.3%) from November 2021, and an increase of 1.7% from February 2020, the peak pre-pandemic month.
- Construction employment in West Virginia in November 2022 totaled 33,600, an increase of 1,600 (5%) from November 2021 and an increase of 500 (1.5%) from February 2020.
- Contractors are having trouble filling positions, impeding the industry's recovery. In the September 2022 AGC-Autodesk Workforce Survey, 93% of firms in the U.S. had unfilled hourly craft positions.

Construction Industry Pay:

- Construction jobs pay well. In West Virginia, 4 of the 5 most numerous construction occupations had median annual pay exceeding \$43,000 in 2021. (Half of workers earn more than the median; half earn less.)



Source: Ken Simonson, Chief Economist, AGC of America, ken.simonson@agc.org, from Bureau of Economic Analysis ([GDP](#)); Census Bureau ([spending](#)); Bureau of Labor Statistics ([national](#) and [state](#) employment, [median wages](#)); AGC ([workforce survey](#)).
December 20, 2022

THE BIPARTISAN INFRASTRUCTURE BILL ONE YEAR LATER



The Infrastructure Investment and Jobs Act (IIJA), signed into law November 15, 2021, is the biggest U.S. infrastructure package in decades and provides over \$6 billion in funding for West Virginia's roads, bridges, water and wastewater treatment facilities, abandoned mine land (AML) projects, airports, and other infrastructure improvement projects.

The bill also provides a five-year reauthorization of the federal-aid highway bill and the U.S. Environmental Protection Agency's Clean Water and Drinking Water Treatment Revolving Funds, all three of which are now funded at higher levels.

A number of West Virginia programs received increased funding in the IIJA bill. Some of the highlights include:

- \$3.013 billion for roads and bridges. This represents a 44% increase in highway funding over the previous FAST Act reauthorization bill.
- Over \$500 million specifically for bridges.
- An additional \$195 million for APD projects like Corridor H, King Coal Highway and Coalfields Expressway.
- \$475 million for U.S. EPA's Safe Drinking Water State Revolving Fund and Clean Water Act State Revolving Fund for wastewater treatment facilities.
- Includes funding for lead pipe replacement in communities like Clarksburg.

- \$600 million for broadband deployment.
- Nationally, \$2.5 billion for flood mitigation that will help flood-prone communities across West Virginia that are plagued with flooding problems \$146 million a year for 15 years for AML reclamation and water projects, plus orphaned oil and gas wells.
- \$40 million in funding for airports statewide.

The Contractors Association of West Virginia, the Associated General Contractors (AGC) of America and the American Road and Transportation Builders Association (ARTBA) were key players in the development of the infrastructure law. Since its passage, the CAWV has hosted several events around the state to keep members informed on the progress that has been made to get projects identified, designed, advertised for bid, and construction contracts awarded.

Some of the large amounts of money that have gone out this year come mostly from program formulas that existed prior to the passage of the infrastructure bill. Money for water and sewer projects are part of the Safe Drinking Water Act and the Clean Water Act with the West Virginia Bureau of Public Health and the West Virginia Department of Environmental Protection (WVDEP), respectively.

West Virginia's \$40 million historical annual allocation for wastewater treatment facilities doubles under IIJA. Water and wastewater

projects are being designed and bid through the agencies' normal procurement procedures.

However, highway and abandoned mine lands (AML) projects have taken longer to ramp up. The federal-aid highway bill, FAST Act, expired on September 30, 2021. Congress reauthorized a new five-year federal aid highway program with the passage of IIJA. West Virginia's Fiscal Year 2023 apportionment increased to a record \$749.9 million. However, Congress did not fund this year's highway program until May 2022. This delayed state transportation departments, including the West Virginia Division of Highways, from obligating construction and maintenance projects from October 2021 to May 2022, thus missing out on this year's construction season.

West Virginia was able to fast-track three projects through Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants. The Morgantown Monongalia Metropolitan Planning Organization received a \$4.2 million grant to support the Greenbag Road Corridor planning and design project. The Wheeling Streetscape project, a 2-mile corridor in downtown that will improve bus and bicycle facilities and pedestrian crossing, received a \$16,250,000 RAISE grant to offset total project costs of \$25 million. The City of Charleston received a \$1.75 million RAISE grant for its Charleston Capital Connector Project to transform the Kanawha Boulevard corridor along the riverfront from Magic Island to the 35th Street Bridge.

Senators Shelley Moore Capito, R-WV, and Joe Manchin, D-WV, in December announced West Virginia will receive \$25 million to help finance a stretch of the Coalfields Expressway from Route 16, near Twin Falls Resort State Park, to Mullens. Sen. Capito, ranking member of the Senate Environment and Public Works Committee, pushed for the Rural Surface Transportation Grant Program when negotiations were taking place in Congress on the IIJA bill. Senator Manchin and Rep. David McKinley, R-WV, were also major supporters of the infrastructure funding legislation.

The bipartisan legislation reauthorizes the abandoned mine land (AML) reclamation fee for another 13 years. The nation's Surface Mining Control and Reclamation Act, first passed in 1977, was set to expire on September 30, 2021. The state will have about \$140 million annually, up from about \$25 million previously, to reclaim some of the state's 140,355 acres of abandoned mine lands.

Unlike federal funding, new rules had to be developed by the U.S. Office of Surface Mining and Reclamation (OSM) before the West Virginia Department of Environmental Protection's AML Division could allocate IIJA funds to projects. The CAWV objected to a few of OSM's new requirements for AML projects and worked with OSM and WVDEP to mitigate requirements placed on contractors. OSM approved the rules in late October, thus delaying this year's funding and the ability for WVDEP to award design contracts. All design contracts for this year's allocation were award-



U.S. Senators Shelley Moore Capito, R-WV, and Joe Manchin, D-WV, and Rep. David McKinley, R-WV, voted in favor of the Infrastructure Investment and Jobs Act (IIJA). Senator Capito joined President Joe Biden as he signed the bill into law on the South Lawn of the White House on November 15, 2021. Senator Capito, to the President's right in the red scarf, said afterward she was especially proud of her Environment and Public Works Committee's surface transportation reauthorization bill and water and wastewater infrastructure bill that were the foundation of the IIJA package. *Official White House Photo.*

ed in November. The CAWV and WVDEP hosted a meeting in December to give contractors a list of IIJA projects totaling \$146 million which will be ready for bidding late 2023 and early 2024.

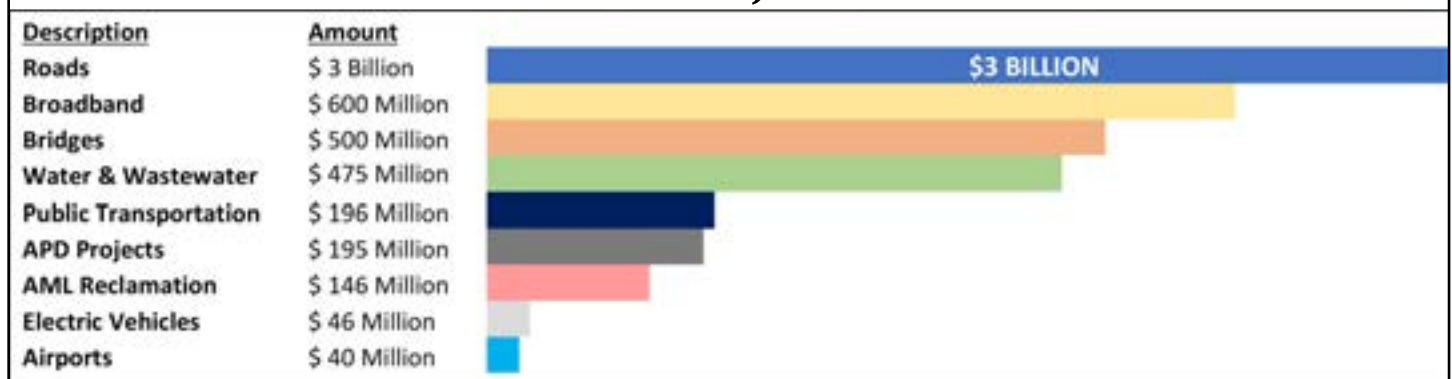
There will be additional funding to reinvigorate coal communities, including a new program to build clean energy on current and former mine lands. Grants will be available for manufacturers to build or retrofit facilities to produce or recycle energy products in communities that have seen coal mines or plants close.

A number of other IIJA-funded programs are moving forward, such as broadband connectivity and the state's network of EV chargers along West Virginia's Interstate highway corridors.

The new infrastructure investments will provide a much-needed boost to the construction industry while growing West Virginia's economy over the next decade. As AGC Chief Economist Ken Simonson reports on page 32, the value of projects started in the first 10 months of 2022 totaled \$1.72 billion, a 67% jump from the same period in 2021. He notes that "many of those starts will carry over into – or even beyond – 2023, providing a solid backlog for some contractors."

[Editor's Note: The November/December 2021 edition of *West Virginia Construction News* details the 2021 Infrastructure Investment and Jobs Act and the funding available to West Virginia. To view, visit www.cawv.org/publications/west-virginia-construction-news.]

WEST VIRGINIA IIJA ALLOCATION



Cashing Out Without Selling Out: The Human Dimensions of Exiting a Business



*By William R. Moore III, CPWA®, CFP®, CLU®, ChFC®, AEP®, CAP®
Founder of Stratview Wealth Management*

Of all the things an entrepreneur thinks about, exiting the business isn't usually top of the list. Yet without a formal exit plan, a closely held business risks not only its longevity, but also its bottom line. That's because a lot can happen along the way that can trigger a need to hand over the business before an owner may be ready to do so.

HOPE IS NOT A STRATEGY

In many cases, family owned and closely held business owners don't take the necessary steps to assure a smooth leadership transition, either because they don't clearly identify a successor or because they fail to prepare their company to succeed without them. It's not surprising. Years of hard work, sacrifice and deep personal involvement can make it extremely difficult for a founder to hand over authority and responsibility to a new owner. The problem is, without a clear exit plan, a divide can be created that can jeopardize the future of the company or, in the case of an outside buyer, the deal itself.

One way to greatly improve the successful sale of a business is to strengthen it from the foundation up. This means focusing not just on the technical details of the business, but also on its human dimensions – in other words, the people and processes that can help maximize its value. To help ensure the interests of your key employees are aligned with your business and to make certain you have the right people supporting your efforts, consider the following questions:

- Do any of your key employees

have the experience, talent and passion to take the business to the next level? In the best effort to find and develop the next generation of management, business owners will often hire people who make better employees than future owners. But just because a member of the team has been "second in command" or, in the case of a family-owned business is related, doesn't mean he or she is the best choice to succeed you. The right person to fill your shoes is very often the type of person you may have avoided hiring in the past: an entrepreneurial leader just like you.

- What have you done to prepare for succession? Broad and deep preparation, both mental and emotional, is necessary for successful leadership. That's why it's important to identify a possible successor that shares your passion for the business. Retaining this successor will require an early investment in time, mentorship, and compensation considerations. Extrapolating this approach to all employees, owners and non-owners, will help you both attract and retain top talent.

- Do you have bench strength among those employees who are not owners? Potential buyers often look beyond the spreadsheets to the quality of the employees behind the numbers. As a result, it pays to have some simple processes and procedures that can help you evaluate the performance of current employees and identify where potential gaps exist in terms of placing future talent.


- Do you have a plan to reward key employees? There are people you would like to take care of in the

transition – certain non-owner employees whose efforts have made the success of your business possible. Care must be taken, however, to ensure this desire doesn't conflict with the economics of getting the deal done with a buyer. An incentive-based compensation program that is tied to company performance measures can "sweeten" a transition plan by fairly compensating those employees whose contributions mean the most and by encouraging them to remain before, during and after the transition.

THE VALUE OF EXPERIENCE

You've spent a lifetime as a steward of your business and justifiably, it is probably one of your proudest achievements. Selling or otherwise transferring your business can be one of the most challenging tasks you face. As a result, it's not a process you should go through alone.

At a minimum, this means working with legal, accounting, and financial professionals who are experienced in the field of succession planning and who understand the human dimensions of that process. The right advisors can help you assess your own strengths and weaknesses in this area, providing guidance to ensure that, when the time comes, you'll be well positioned to transition your business on your terms – when you want, and how you want.

Your business and personal needs are also intertwined throughout the life of your business. That is why an integrated approach – through which your needs are evaluated, prioritized and addressed as your business evolves – is essential. 

Business Life Cycle and Needs

	Startup	Growth	Maturity	Transfer
Risk Management	<ul style="list-style-type: none"> Protect yourself and your ability to do business 	<ul style="list-style-type: none"> Regularly review and update your plan and coverage to ensure business continuity Share your continuity plan with your select key employees and your bank to foster retention and access to loans and lines of credit 	<ul style="list-style-type: none"> Regularly review and update your plan and coverage to ensure business continuity 	<ul style="list-style-type: none"> Share your plan and coverage with the new owner New owner continues and adapts the plan and coverage to meet business needs
Employee Benefits	<ul style="list-style-type: none"> Offer group benefits to attract and retain employees 	<ul style="list-style-type: none"> Offer a qualified retirement plan for all employees Enhance your program with additional benefits to attract and retain select key employees 	<ul style="list-style-type: none"> Regularly review and update your programs to ensure competitiveness in attracting and retaining employees at all skill levels 	<ul style="list-style-type: none"> Share your programs with the new owner New owner continues and adapts the programs to meet business needs
Exit Planning	<ul style="list-style-type: none"> Build and grow your business while keeping continuation and succession in mind 	<ul style="list-style-type: none"> Set your objectives Calculate your business's value Choose the new owner Implement and fund your written buy-sell agreement for retirement, disability and death Share your strategy with your select key employees and your bank to foster retention and access to loans and lines of credit 	<ul style="list-style-type: none"> Regularly review and update your strategy and funding to ensure the orderly transfer of your business Because estate taxes can be your largest liability, determine your liquidity needs Enhance your strategy to preserve your estate's value and efficiently transfer wealth to your family and heirs 	<ul style="list-style-type: none"> Execute your strategy New owner creates and maintains his or her strategy and funding
Personal Financial Planning	<ul style="list-style-type: none"> Protect yourself, your family and your assets Create or continue to refine your estate and retirement savings plans 	<ul style="list-style-type: none"> Regularly review and update your plans and coverage to ensure that you and your family are financially secure 	<ul style="list-style-type: none"> Regularly review and update your plans and coverage to ensure that you and your family are financially secure 	<ul style="list-style-type: none"> Enjoy the rewards of your hard work while ensuring your estate and retirement income plans continue to provide for you, your family and heirs



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West Virginia v. EPA: **Supreme Court Keeps Agencies in the Right Lane**

*By Nick Goldstein, Vice President of Regulatory and Legal Issues
American Road and Transportation Builders Association in Washington, D.C.*

U.S. Supreme Court cases usually receive the most media coverage if they involve social or criminal disputes. On June 30, 2022, the Court's decision in *West Virginia v. EPA* made front page news across the country for its effect on a wide range of issues, including transportation construction.

West Virginia v. EPA centered on the Environmental Protection Agency's (EPA) ability to issue rules governing emissions from coal-fired power plants. The EPA was trying to get these facilities to switch entirely from coal-fired generation to cleaner sources for producing electricity, such as natural gas. In issuing the rules, the Court held that EPA overreached its congressional authority.

The Court said EPA was using methods of regulation reserved expressly by Congress for other agencies (namely the Department of Energy or Federal Energy Regulatory Commission). It held that Congress did not give EPA the authority to make utilities switch how they produced electricity. Instead, Congress only allowed the agency to require that power generators use the best technology available to ensure emissions are as clean as possible. Put a different way, the Court ruled EPA has the power only to regulate how emissions are produced, not what type. To coin a phrase, the Court told EPA (and all federal agencies, by implication) to "stay in their lane."

While EPA can still regulate Greenhouse Gas (GHG) emissions in other ways, the Court's decision

has a major impact on how all federal agencies approach rule writing. Specifically, the Biden administration's "whole of government" approach to climate issues could suffer a significant setback.

Multiple agencies are in the process of developing rules aimed at blunting the impacts of climate change. The Securities and Exchange Commission (SEC) is preparing a rule to require disclosure of climate impacts by publicly traded companies. The Occupational Safety and Health Administration (OSHA) is setting standards for heat-related illnesses. Most relevant to transportation infrastructure, the Federal Highway Administration (FHWA) recently proposed GHG performance rules for highways that require states to report GHG emissions. There's no doubt climate regulation is within the EPA's "lane."

With the Court's *West Virginia v. EPA* decision, it's clear Congress did not intend for other agencies to write climate related regulations. For example, Congress has not explicitly given the FHWA permission to require states to report any type of GHG emission. Neither 2012's Moving Ahead for Progress in the 21st Century (MAP-21) law—which established performance measures for the interstate highway system—or 2021's Infrastructure Investment and Jobs Act (IIJA)—the first reauthorization law with a separate climate title—gave FHWA any direct authority over GHG emissions.

Federal agencies often justify new rules by contending there's no fed-

eral law to keep them from creating them. *West Virginia v. EPA* is likely to force a different approach. Agencies will now have to search for and find laws that give them the authority to regulate before they do so. In other words, a rule can no longer be enacted because "Congress hasn't said we can't do it" but rather only when "Congress specifically says we can."

The impacts of *West Virginia v. EPA* are already being felt. A group of state attorneys general has announced it will sue the SEC over its climate disclosure rule, noting that Congress did not intend for the SEC to regulate climate issues. Will the FHWA's GHG reporting rule be the target of a similar lawsuit?

It will take time to determine exactly how *West Virginia v. EPA* will impact administrative law. One thing is now obvious: the Court has taken notice of regulatory "mission creep" in the federal bureaucracy. If agencies, including the FHWA, aren't careful to "stay in their lane" with the rules they write, the Court may pull them over and send them back to square one.

In a 6-3 decision in *West Virginia v. EPA*, the U.S. Supreme Court ruled the agency can only make sweeping changes in the nation's power sector with explicit approval from Congress. Nick Goldstein, ARTBA's vice president of regulatory and legal issues, wrote in the July-August 2022 issue of ARTBA's *Transportation Builder* about the ruling's impact on the construction industry.



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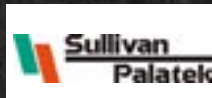
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Dr. James Bryce Joins WVU as the Pat Parsons' Asphalt Faculty Fellow



Dr. James Bryce was selected in May 2022 to fill the Pat Parsons' Asphalt Faculty Fellow position within the Wadsworth Department of Civil and Environmental Engineering at West Virginia University's Benjamin M. Statler College of Engineering and Mineral Resources.

Before beginning his new role, Dr. Bryce served at Marshall University as an assistant professor in the Department of Civil Engineering from 2018 to 2022 and as assistant director of the Appalachian Transportation Institute from 2020-2022. Dr. Bryce is a 2008 graduate of the University of Missouri where he received his BS in Civil Engineering. Later, he attended Virginia Tech where he received his MS and, subsequently, his Ph.D. in Civil Engineering. In 2014, he spent a year at the University of Nottingham (UK) where he was a Marie Curie Post-

doctoral Scholar working on methods to measure the sustainability of pavement.

"We are very excited to see Dr. Bryce take on this role. He is an excellent professor with great knowledge and an eagerness to get involved," said John Crane, Asphalt Pavement Association of West Virginia (APAWV) executive director. "I have no doubt that he will help direct and serve our industry and our state into the future."

Dr. Bryce's primary expertise is the design and management of asphalt pavements, and he has several ongoing research projects on this topic with the Federal Highway Administration and Michigan Department of Transportation, among other agencies. Much of his current work is in the area of pavement management, such as developing updated proto-

cols for distress measurement and condition assessment and developing models to predict pavement performance.

"Dr. Bryce's level of engagement and enthusiasm with putting his students first is very encouraging. I am excited about the students that will graduate from his program and to see the positive changes to the industry his program will produce," said Mark Haverty, vice president of Kelly Paving, Inc. and APAWV chairman.

The recently named Pat Parsons' Asphalt Faculty Endowment, named for the long-serving APAWV Executive Director, was established by the asphalt industry of West Virginia in 1993 and subsequently employed Dr. John Zaniwski for over 20 years.

Over the last few years, the asphalt industry has grown the endowment from a professorship to a fully chaired position, raising the endowment pledged amount to \$1 million in the process.

"I am honored and excited to follow in the footsteps of Dr. Zaniwski, who was the advisor of my advisor at Virginia Tech, Dr. Gerardo Flintsch," said Dr. Bryce.

"Dr. Zaniwski's contributions over the years to our industry are immeasurable," said Crane. "We would be remiss not to recognize his commitment and dedication. However, we are delighted to have Dr. Bryce coming in the wake to pick up the torch and continue our mission."



Dr. James Bryce, WVU's Pat Parsons Asphalt Faculty Fellow, discussed current and future research on asphalt pavements for WVU's Asphalt Technology program at this year's APAWV Fall Meeting held September 23- 25 at Canaan Valley Resort.



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Dr. Bryce praised WVU saying, “the University has all the facilities and excellent students to make major advances in asphalt technologies that serve West Virginia and the nation.”

West Virginia Construction News interviewed Dr. Bryce on his new role as the Pat Parsons’ Asphalt Faculty Fellow at WVU’s Benjamin M. Statler College of Engineering and Mineral Resources. His responses follow.

Q: How has your background helped prepare you for your current position?

A: I began working on pavement-related research in 2008 as an undergraduate student and have continued since. I now teach courses on pavements and materials and manage several large research projects on pavements with the U.S. Federal Highway Administration, U.S. National Park Service, and other agencies. My experience has provided the necessary background to do this.

Q: What are your goals and objectives in your position?

A: My goal is to continue working on federal pavement-related research while also building a research program to support pavement needs in West Virginia. The research funds graduate students who work on projects and in the lab. I aim to continue producing high-quality students that will grow to become leaders in the field of pavements. I also have the objective to teach at least one asphalt, pavement or materials course each semester.

Q: What do you think are the relative issues of the asphalt industry and what would you like to see accomplished in these areas?

A: The first issue related to the asphalt industry is developing a consensus on performance-based mix design. We see this with Balanced Mix Design; what are those tests that we can perform in the laboratory that will give us a good understanding of how pavements will perform? This is related to the broader topic of closing

the gap between pavement design and management. My research is about closing this gap so that we can understand more completely how mix design affects long-term pavement performance.

Q: Do you envision any changes to the asphalt industry in the foreseeable future?

A: Yes, I predict many changes to the industry over time. At the 2020 Transportation Research Board annual meeting, we organized an international workshop to explore the changing dynamics of pavements and the consensus was that pavements of the future will have to be multi-functional. In-lane charging is one example. There are demonstration projects of wireless electric vehicle charging built into the lanes of highways, and we expect this area to grow rapidly. We are going to need to understand how this will affect the design, construction, and maintenance of asphalt pavements. Internationally, we see efforts to include power generation (solar and mechanical) in pavements and to expand the uses of porous and permeable pavements, and I also expect this to grow. My goal is to continue building research into these areas so that we can better prepare for those necessary changes. It's imperative that the industry continues to adapt to new technologies.

Q: What are the biggest challenges the industry is facing? Solutions?

A: I see many challenges in pavements, from the development of consensus mix design standards to shortages for some asphalt binders and aggregates. However, I think the biggest challenge is finding ways to improve the overall sustainability of pavements, particularly the economic and environmental aspects. From an economic perspective, the funding needed to manage the existing pavements is increasing while the funding available is stagnant. Therefore, we must find more cost-effective ways to design, build and maintain pavements. From an environmen-


tal perspective, pavements have a significant carbon footprint. Can we find cost-effective ways to reduce the carbon footprint without compromising pavement performance? We are currently working on research to answer this question.

Q: What is your primary focus in your new role?

A: As a faculty member, I have three areas of focus: Research, teaching, and service. Research is the largest component of my role. Within research, continuing to build a nationally recognized program in asphalt technology and producing MS and Ph.D. students in that area is key to my role. Teaching is also important, whether it's in a classroom setting or engaging students in research. Engaging with the asphalt industry and West Virginia Division of Highways to support them is also important to my role, whether that is by producing high-quality graduates in the field or by conducting research to help solve problems. I aim to be an expert that industry and agencies can rely on to solve asphalt pavement-related problems.

Q: What else would you like to include in the article?

A: I am excited to continue meeting and working with the asphalt industry in West Virginia and encourage members to reach out to me with any questions or just to discuss asphalt pavements.

Dr. Bryce can be reached via email at james.bryce@mail.wvu.edu or by phone at (304) 293-9955. 

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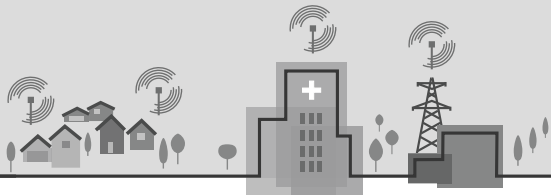
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