

ISSUE THREE • 2023

ENGINEERING INC.

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AWARD-WINNING BUSINESS MAGAZINE • PUBLISHED BY AMERICAN COUNCIL OF ENGINEERING COMPANIES

New ACEC ExCom Embraces Opportunities

Halff Goes All In With Community Service Efforts

ACEC/MA's Impact

Firms Extra Cautious About Work Over Risk
Concerns, PLI Survey Shows

SOARING ACHIEVEMENT

HNTB'S SIXTH STREET VIADUCT TOPS STELLAR PROJECT LINEUP
AT 2023 ENGINEERING EXCELLENCE AWARDS

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Celebrating engineering

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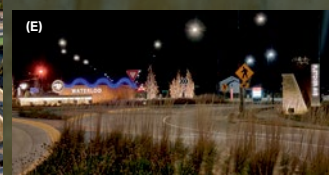
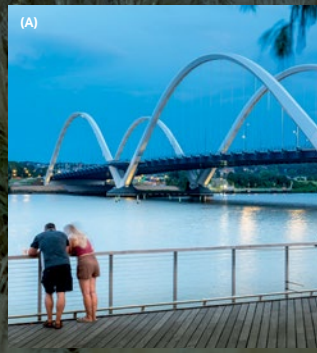
Frederick Douglass Memorial Bridge,
National Grand Award (A)

Jane Byrne Interchange,
National Honor Award (B)

NASA Langley Measurement Systems Laboratory, National Honor Award (C)

Hunts Point Interstate Access Improvement Project, National Recognition Award (D)

University Avenue Reconstruction,
National Recognition Award (E)



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2023 ENGINEERING EXCELLENCE AWARD WINNERS

ACEC's annual Gala recognizes the year's most innovative projects, with Los Angeles' viaduct replacement scoring the top prize.

A panel of 27 judges selected 16 Honor Awards and 8 Grand Awards, including the Grand Conceptor Award for the year's most outstanding engineering achievement.

The ACEC Research Institute provides the engineering industry with cutting edge research, trend data, and economic analysis to help firm owners make decisions and delivers thought leadership that advances engineering's essential value to society.

The ACEC Research Institute wishes to extend its sincere appreciation to its generous contributors.

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COVER: JUAN R GARCIA/GETTY IMAGES



ACEC's award-winning quarterly magazine *Engineering Inc.* provides expert analysis on all issues affecting the overall business of engineering. Other highlights include in-depth interviews with major policy makers whose decisions impact bottom lines; updates on critical advocacy issues and industry news, best practice management trends and marketplace projections, along with member firm innovations and announcements.

The articles and editorials appearing in this magazine do not represent an official ACEC position or policy unless specifically identified as doing so.

Council's Growing Influence on Display at Annual Convention

The 2023 Annual Convention in Washington, D.C., featured a heavyweight lineup of featured speakers and plenty of cutting-edge firm management education. Nearly 900 attendees received valuable political insights from U.S. Transportation Secretary Pete Buttigieg and 2024 Presidential Candidate Chris Christie.

They also heard industry and market perspectives from experts such as World Economic Forum President Børge Brende, U.S. Army Corps of Engineers Chief of Engineering and Construction Pete Perez, and former CNBC Chief Economist Marci Rossell.

This issue of *Engineering Inc.* presents complete Convention highlights, (see page 12) and an introduction to members of the 2023-2024 Executive Committee, featuring new ACEC Chair Jay Wolverton, as they provide perspectives on industry challenges, markets, and Council services (see page 54).

Applause to all 179 project teams celebrated during the 2023 Engineering Excellence Awards Gala, attended by 662 members and guests. It was the second highest Gala turnout to the nearly 700 at the 2019 pre-COVID Gala.

Special congratulations to the project team of HNTB for developing the new Sixth Street Viaduct in Los Angeles and being voted winner of the coveted 2023 Grand Conceptor Award for the year's most outstanding engineering achievement (*EEA coverage begins on page 16*).

We look forward to seeing you all at ACEC's 2023 Fall Conference, October 15-18, at the J.W. Marriott in downtown Austin, Texas.

Jay Wolverton
ACEC Chair



Linda Bauer Darr
ACEC President & CEO



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DIRECTOR, MEMBER COMMUNICATIONS	Alan D. Crockett
STAFF EDITOR	Andrea Keeney akeeney@acec.org 202-682-4347
ADVERTISING SALES	Erin Wander 440-281-0464 ewander@acec.org

IMAGINATION	
MANAGING EDITORS	Elizabeth Cotner Glennon Matthew Wright
ART DIRECTOR	Kris Apodaca

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2023

FALL CONFERENCE

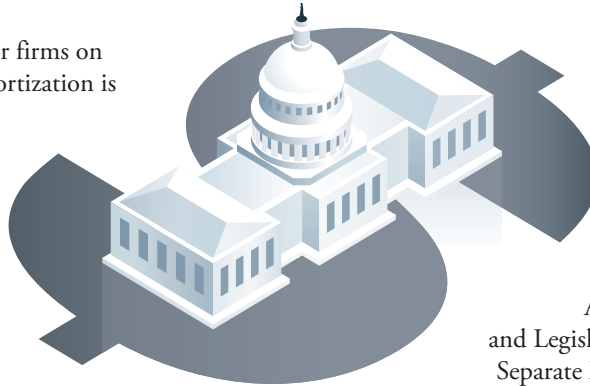
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ACEC Urges Congress to Fix R&D Amortization

Securing relief for the Council's member firms on research and development (R&D) amortization is a top priority for ACEC as Congress moves toward end-of-year legislation. Starting in 2022, engineering firms and other businesses must deduct R&D expenses over five years in most cases instead of the prior tax treatment of deducting these expenses in the year they were incurred. This change in the tax treatment of innovation expenses has caused severe cash flow problems for engineering firms.

Bipartisan legislation to fully repeal the R&D amortization requirement was introduced in the House and Senate in the spring. ACEC issued several action alerts through which member firms asked their members of Congress to cosponsor the American Innovation and R&D Competitiveness Act (H.R. 2673)/American Innovation and Jobs Act (S. 866). Nearly



11,000 emails were sent to Congress through these action alerts.

Repealing R&D amortization was also a key focus of the Council's lobbying efforts during the 2023 ACEC Annual Convention and Legislative Summit.

Separate legislation that would delay the R&D amortization requirement until 2026 has passed the House Ways and Means Committee, although there has been no action in the Senate. It is expected that the House and Senate will negotiate a tax package before the end of the year that will include the R&D amortization delay and other business tax provisions, as well as an expanded child tax credit or other family tax relief.

House of Representatives Clears ACEC-Backed FAA Reauthorization Bill

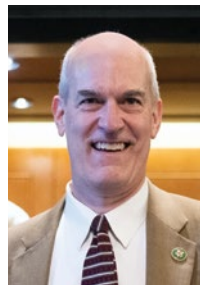
The House approved the Securing Growth and Robust Leadership in American Aviation Act (H.R. 3935), bipartisan legislation to reauthorize the Federal Aviation Administration (FAA) and aviation safety and infrastructure programs for the next five years.

ACEC endorsed the bill, which increases federal investment in airport infrastructure and addresses other industry priorities.

"This bipartisan legislation will deliver aviation and airport infrastructure policies that enhance safety, facilitate economic development, and meet the growing needs of the traveling public," wrote Council President and CEO Linda Bauer Darr to the bill's sponsors, Transportation and Infrastructure Committee Chairman Sam Graves (R-Mo.) and Ranking Member Rick Larsen (D-Wash.).



Sam Graves (R-Mo.)



Rick Larsen (D-Wash.)

The bill increases annual Airport Improvement Program (AIP) funding by \$650 million over existing levels, to \$4 billion per year for five years. It also expands program eligibility to include more terminal projects and includes environmental review permitting provisions.

The legislation also authorizes additional testing and evaluation of unmanned aircraft and mandates an

FAA rulemaking on unmanned aircraft systems (UAS) operations beyond visual line of sight. "Engineering firms utilize UAS for a wide array of services, including surveying, construction site monitoring, facility inspections, and wetlands mapping," Darr told lawmakers. "As these technologies continue to develop and their capabilities improve, it is essential that FAA continue to develop a comprehensive system for safely integrating UAS and advanced air mobility aircraft into the national airspace."

The leaders of the Senate Commerce, Science, and Transportation Committee have introduced their version of FAA reauthorization, which also features an increase in AIP funding and provisions to advance UAS integration and operations beyond the visual line of sight. House and Senate leaders hope to negotiate a final bill later this year.



Congress Approves Significant NEPA Reforms

Congress cleared significant reforms to the National Environmental Policy Act (NEPA) that seek to streamline permitting approvals as part of an agreement to raise the debt ceiling.

With recent enactment of several infrastructure funding laws including the Infrastructure Investment and Jobs Act, the Inflation Reduction Act, and the CHIPS and Science Act, there was broad bipartisan recognition of the need for reforms in federal environmental review and permitting processes to deliver projects funded by these programs.

The Fiscal Responsibility Act includes provisions to expand the use of categorical exclusions; provide for one-year deadlines for environmental assessments and two years for environmental impact statements; permit the use of private resources to accelerate reviews; and codify the One Federal Decision program to better coordinate reviews among multiple agencies. The reforms also will narrow agency considerations to reasonably foreseeable adverse environmental effects and a reasonable range of alternatives to the proposed action that are technically and economically feasible, while meeting the purpose and need of the proposed action.

The new law also includes a technology study provision (E-NEPA) specifically advocated by ACEC, directing the federal Council on Environmental Quality to explore and report examples of a unified portal to track NEPA reviews, streamline government processes for analyses of major projects, and advance public access.

The Council on Environmental Quality is expected to issue new regulations and guidance. ACEC will continue to engage in the regulatory process and continue to advocate with key congressional committees on additional legislation to modernize environmental reviews, including judicial reforms, changes to Clean Water Act permitting, and the permitting of interstate transmission lines.

Senate Committee Encourages FHWA to Ease PPP Credits Burden on Firms

A key Senate committee has said the Federal Highway Administration (FHWA) should work to promote a more consistent approach by state departments of transportation (DOTs) and reduce burdens on A/E firms when implementing the credits requirement for forgiven Paycheck Protection Program loans. The provision was included in the Senate Appropriations Committee's report on the annual funding bill for transportation, housing, and urban development programs for fiscal year 2024.

"The Committee is aware of concerns that the FHWA has released guidance explaining that consultants providing architectural and engineering [A&E] services under federal-aid or federal lands highway program funded contracts that have received Paycheck Protection Program (PPP) loans must provide a refund or a reduction in billing rates in the amount of forgiven PPP loans that are allocable to contract costs," the report states. "The Committee ... is aware that there is a lack of uniformity in how State DOTs are implementing this guidance and enforcing the Federal Acquisition Regulation [FAR] credits clause with respect to forgiven PPP loans. The FHWA should help ensure that A&E consultants, including small and disadvantaged businesses, do not face unreasonable compliance burdens, as permissible under current law."

While efforts continue to determine if a broader repeal or waiver can advance in the Senate, the Council is working with ACEC Member Organizations and the FHWA to promote more consistency and align state policies with guidance developed by a working group of state DOTs and affiliate CPAs with expertise in the FAR. ■



For More News

For legislative news, visit ACEC's *Last Word* blog online at www.acec.org.

Post-Pandemic Health Care and Life Sciences Market Trends

BY DIANA ALEXANDER

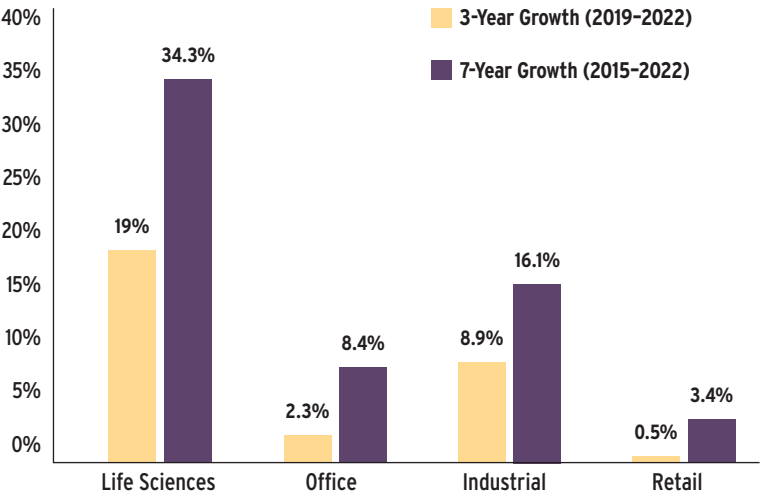


The COVID-19 public health emergency (PHE), declared under Section 319 of the Public Health Service Act, officially ended on May 11, 2023, with daily reported cases down 92 percent, COVID-19 deaths down by 95 percent, and hospitalizations down 91 percent since January 2021. With the end of the PHE, here are the top trends affecting the health care and life sciences markets and their impact on our industry.

Life sciences experiences accelerated growth. For the last decade, the life sciences market outpaced all other major commercial real estate (CRE) asset types in total U.S. inventory growth. According to a Cushman & Wakefield report, total inventory for life sciences grew 34 percent over the course of seven years, between 2015 and 2022, and grew 19 percent over the last three years, from 2019 to 2022. (See chart below for CRE asset class comparison.)

Venture capital investment declines amid slowing economy. Life sciences venture capital (VC) funding in North America hit a record high of approximately \$49 billion in 2021. But in 2022 that funding dropped by 28 percent, and private equity funding also dropped 24 percent year over year (YoY) to \$37.3 billion. Global VC and initial public offering funding dropped a combined 45 percent from their 2021 peak, to \$66.6 billion in 2022, according to PitchBook data. Overall, investments from VC fell YoY due to volatile market conditions, rising interest rates, and bank failures. The sector faces continued risk in 2023 as several biotech companies have invested with the banks that experienced failure.

U.S. INVENTORY GROWTH BY PROPERTY TYPE



Source: Cushman & Wakefield

NIH funding hits seven-year record high. National Institutes of Health (NIH) funding hit a new record in 2022 at \$36.7 billion, a 2.7 percent YoY increase. This was the seventh year in a row that funding has hit a new all-time high. Fifty percent of funding for life sciences markets are sourced from the NIH. Between 2018 and 2022, these key markets received the most funding:

- Boston: \$14.8 billion
- New York City: \$12.2 billion
- Baltimore and suburbs: \$9.7 billion

Telehealth usage remains above pre-COVID-19 numbers. A Bipartisan Policy Center survey of 28 million to 30 million participants reported that in 2019, 1 percent of Medicare beneficiaries participated in telehealth. In 2020 that number surged to 44 percent, but in Q1-Q3 2021, usage dropped to 28 percent. During the same 2021 quarterly reported period, between 40 percent and 50 percent of those visits were for behavioral health. The U.S. Department of Health and Human Services indicates that many telehealth services will continue through 2024, despite the end of the PHE.



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Vertical Villages: The Next Trend in Health Care Design

Vertical villages, a new design trend that's picking up attention, consists of stacking multiple health care functions. As urban centers become overcrowded and overpopulated, and outpatient service demand increases, medical centers are looking for a creative way to expand their footprint. The high-rise hospital design allows for co-located functions, including medical training,

clinical trials, and research and development, while creating extra revenue streams for building owners who can lease floor space for residential or retail use, conferences, or local community needs. The vertically designed infrastructure can also ease travel distances, improve wayfinding and hospital efficiencies, and provide access to natural sunlight.

Further, per the American Hospital Association, 65 percent of community hospitals are in urban environments, versus 35 percent located rurally. Therefore, the design industry must look at a way to fit several medical functions into each facility within these densely populated and urban areas. One design solution is a vertical tower versus a horizontal plan. This kind of design, however, could also bring new airflow challenges that would need to be addressed by industry experts, including mechanical, electrical, and plumbing and structural engineers.

When it comes to the health care market, architects often lead the design and contract.

Therefore, it is key to know who the major players in the market are to team with for future work. Below are the top 10 architectural firms participating in the health care space by revenue, as well as which firms are also members of ACEC National.

TOP HEALTH CARE A/E FIRMS 2022

Ranking by Revenue

- 1 HDR* **\$290M**
- 2 CannonDesign **\$220M**
- 3 HKS* **\$196M**
- 4 Stantec* **\$154M**
- 5 Perkins and Will **\$148M**
- 6 SmithGroup* **\$110M**
- 7 HOK **\$96M**
- 8 Perkins Eastman **\$88M**
- 9 NBBJ **\$84M**
- 10 HGA* **\$75M**

*ACEC National Member
Source: BD+C's 2022 Giants 400 Report



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Commercial & Residential Real Estate



Health Care & Science + Technology



Intermodal & Logistics



Economic Outlook



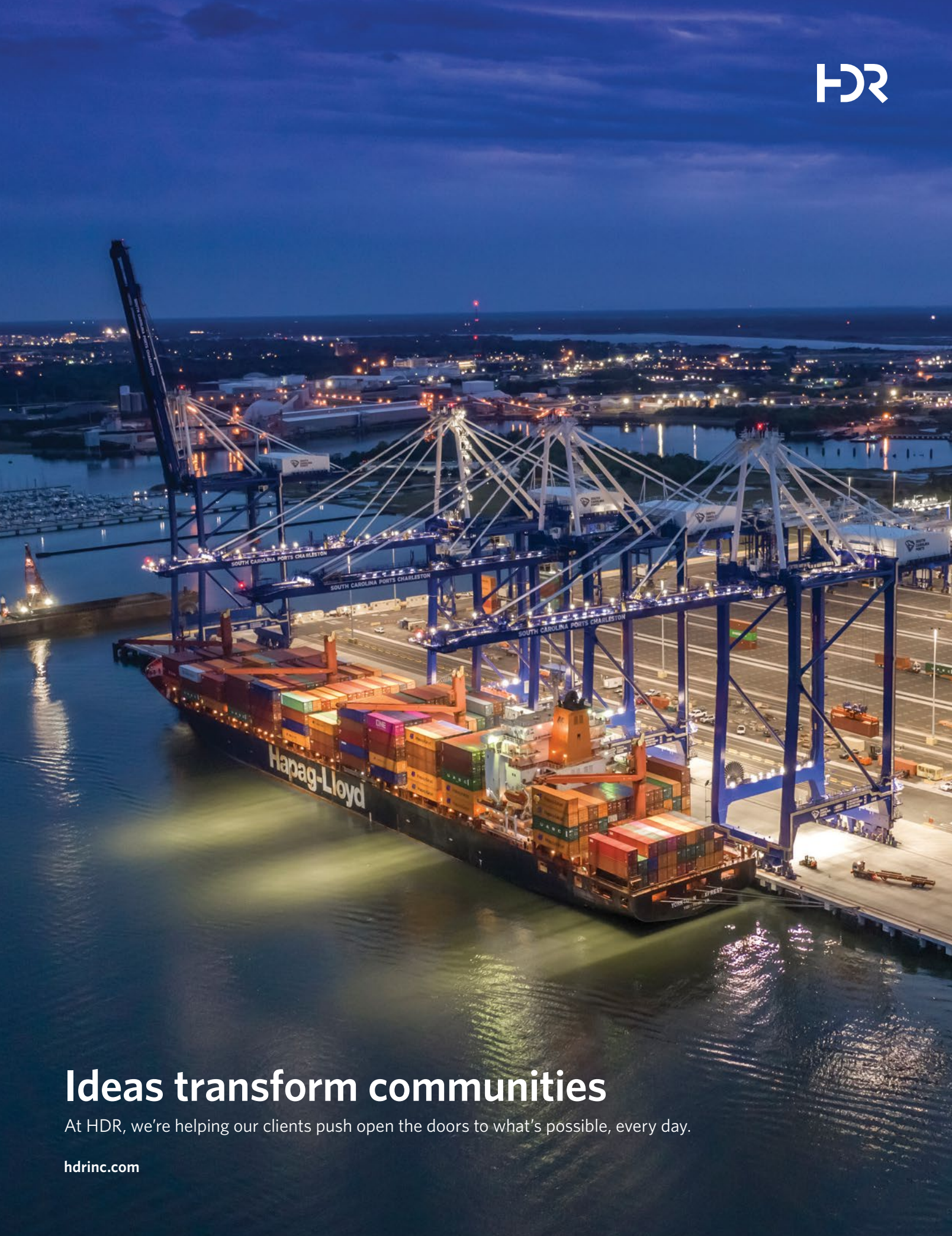
Energy & Utilities



Education

The Private Side column in *Engineering Inc.* focuses on the private-sector markets listed above, and information and insights on economic data relevant to the industry. For more on these topics, subscribe to ACEC's bimonthly *Private Industry Briefs*: <https://programs.acec.org/industrybrief>.

Diana Alexander, CPSM, is ACEC's director of private market resources. She can be reached at dalexander@acec.org.



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ACEC President and CEO
Linda Bauer Darr welcomes
Convention attendees to the
Opening General Session.



New ACEC
Chair Jay
Wolverson
addresses
the Board of
Directors.

2023 ANNUAL CONVENTION WRAP-UP

NOTEWORTHY LEADERS ADDRESS CRITICAL INDUSTRY ISSUES



Chair Emeritus
Art Barrett
introduces officers,
past chairs, and
guests at the
Board of Directors
Meeting.

The 2023 ACEC Annual Convention delighted nearly 900 attendees with appearances by distinguished national and international leaders who discussed significant industry and business concerns.

The Convention included the introduction of Jay Wolverson, executive vice president and chief growth officer for CHA Consulting, as the new ACEC Chair.

In her Convention-opening address to the Board of Directors, ACEC President and CEO Linda Bauer Darr noted her fifth anniversary as the Council leader. “We are a very different organization today,” she said.

She noted that her focus so far includes the establishment of the ACEC Research Institute, the *Engineering Influence* podcast, and a growing national influence. She also emphasized that improved Council relationships with Member Organizations (MOs) is key.

“We have a new posture now with our MOs of mutual respect, responsibility, and a shared sense of mission,” Darr said.

The Convention featured Transportation Secretary Pete Buttigieg, 2024 U.S. Presidential Candidate Chris Christie, and World Economic Forum President Børge Brende.

More Annual Convention highlights include:

SECRETARY PETE BUTTIGIEG TO ENGINEERING LEADERS: 'WE CAN'T DO IT WITHOUT YOUR HELP'

The historic Infrastructure Investment and Jobs Act (IIJA) is a “once-in-a-lifetime investment opportunity in transportation that we must get right,” Buttigieg told engineering firm leaders at the Convention.

“But we can’t do it without your help,” he said.

Buttigieg mentioned the collapsed section of I-95 and how highway industry stakeholders, including engineers, would need to make needed repairs primarily on the East Coast north south highway artery. (After the Convention, that section of I-95 reopened just 12 days after its collapse.)

He predicted that, despite decades of infrastructure underinvestment, the historic funding opportunity now presented by the IIJA will also challenge U.S. productivity. “On time, on task, on budget—that’s our goal,” he emphasized. “And so much of that success will depend on you.”

He noted that 70,000 road projects and 4,600 bridge projects are currently underway throughout the nation because of the IIJA, and there is more to come.

Before concluding his speech, he emphasized, “There has never been a better time to be involved with transportation infrastructure.”

GOP PRESIDENTIAL CANDIDATE CHRIS CHRISTIE ADDRESSES POLITICAL DIRECTION OF NATION

Former New Jersey Governor Christie delivered a lively and insightful presentation on the state of American politics.

Having completed a lengthy CNN town hall only hours before, Christie began his remarks by warning that he was operating on only four hours of sleep, joking with attendees that they could be in for an “interesting morning.”

Christie shared his unique blend of humor, U.S. history, and deep inside-the-Beltway expertise, sharing his impressions on where our nation is headed politically after the turmoil of the last decade. He regaled attendees with tales from his time as an adviser to former President Donald Trump.

When Trump was elected in 2016, his mistake was conflating his slim electoral victory with a wide personal mandate: “You had the two most unpopular presidential candidates in history running against each other. Trump didn’t win that election. Hillary lost it,” Christie said.

In early 2020, as the pandemic and the primaries converged, President Trump asked Christie which Democrat he believed would be his most formidable opponent. Without hesitation, Christie responded: “Joe Biden.”

When Christie stood in as Trump’s debate partner in 2020, he played the role of Biden. Trump asked what his one piece of advice would be if such a debate took place.

“Let him talk,” Christie said. “There is an overwhelming likelihood that the more he talks, the more trouble he will get into.”

U.S. Transportation Secretary Pete Buttigieg called the IIJA “a once-in-a-lifetime investment opportunity in transportation that we must get right.”



2024 U.S. Presidential Candidate Chris Christie delivered insightful impressions on American politics.



World Economic Forum President Børge Brende said the U.S. economy is “very, very strong” during an address to attendees from Geneva.



During one session, experts discussed how clients are increasingly requiring diversity, equity, inclusion, and belonging practices during contract negotiations. Pictured from left to right: Martha Cross, City of Philadelphia, Department of Planning and Development; C. Phil Campos, U.S. State Department; Jose Febrillet, Port Authority of New York and New Jersey; and moderator Masai Lawson, Gannett Fleming.



But Trump would not let Biden talk and interrupted him about 100 times in a 90-minute debate.

“I knew after [that debate], the election was over. There was no pathway back after that,” Christie concluded.

He pointed to Trump’s continued influence over American politics, namely the electoral “red wave” that failed to materialize in the 2022 midterm. Those muted gains, Christie argued, were owed to a slew of what he called “awful Republican candidates,” most of them endorsed by Trump. “The candidate matters the



Former CNBC Chief Economist Marci Rossell and ACEC Chair Jay Wolverton take questions from the Convention audience following her address.



U.S. Army Corps of Engineers Chief of Engineering and Construction Pete Perez said he is seeking improved relations with ACEC and the industry.



Former NFL player and now-professional magician Jon Dorenbos demonstrates his sleight of hand during his Convention address.

ACEC/PAC ANNUAL CONVENTION SWEEPSTAKES WINNERS

The winners of this year's PAC Sweepstakes: **Michael Fabbiano** of **Highpoint** in Dedham, Massachusetts, won the \$10,000 Grand Prize. **Roger Smith** of **KBA Inc.** in Bellevue, Washington, and **Scott Hall** of **SAM LLC** in Austin, Texas, each won \$5,000. **Chris Gale** of **HNTB Corp.** in Indianapolis, and **Jonathan Blanchard** of **Yeh and Associates Inc.** in Grover Beach, California, each won \$2,500.

Ten people won \$1,000 prizes: **P.J. Fitzpatrick** of **HR Green** in Aurora, Illinois; **Hugh Cannon** of **ACEC/MW** in Ashburn, Virginia; **Steven Field** of **Rummel, Klepper & Kahl LLP** in Gallatin, Tennessee; **Michael Girman** of **AECOM** in Conshohocken, Pennsylvania; **Jon Ross** of **Smith Seckman Reid Inc.** in Nashville, Tennessee; **Daniel Larson** of **American Engineering Testing Inc.** in Saint Paul, Minnesota; **Jason Lietha** of **Ruekert & Mielke Inc.** in Madison, Wisconsin; **Vincent Loftus** of **J-U-B Engineers Inc.** in Spokane, Washington; **Margaret Talarico** of **Foresight Construction Services LLC** in Pittsburgh; and **Jeff Mulliken** of **Carolina Transportation Engineers & Associates** in Columbia, South Carolina.

most. More than money, momentum, pace. The American people are smart. They look beyond almost everything else to see who you are," he said.

CORPS ENGINEERING CHIEF VOWS GREATER COLLABORATION WITH ACEC

"We need you," U.S. Army Corps of Engineers Chief of Engineering and Construction Pete Perez told the Convention audience.

While focusing on the relationship between ACEC and the engineering industry, Perez acknowledged some past difficulties and miscommunications and said he is working to make it better. "We're trying to pinpoint the reasons why we don't collaborate like we used to, as we need better collaboration if we are to successfully execute our goals."

To facilitate improved relations with industry partners, the Corps has developed a new playbook on construction and engineering relationships, which focuses on greater commitment, communication, and collaboration.

"We need greater commitment to making each other successful, not just for us but for those we serve and the public at large," Perez said.

WORLD ECONOMIC FORUM PRESIDENT: U.S. ECONOMY 'VERY STRONG'

Børge Brende addressed the Convention audience remotely from Geneva, saying, "Despite being in various stages of unpredictability and geopolitical risk, things are looking better for the U.S.

economy than we predicted a year ago.

"If a country makes real cost-effective investment in infrastructure, such as the U.S., that will reflect in increased GDP and in global competitiveness," he added.

He noted that the U.S. still produces 25 percent of the global GDP while having 5 percent of the world's population. "The U.S. economy is very, very strong."

Brende pointed to worldwide economic challenges, such as strong inflationary pressures being experienced by various countries and the impact on European energy because of the war in Ukraine. He added that the overall global economy has improved over the decades, noting that in 1990 the extreme worldwide poverty rate was 42 percent. Today it stands at 11 percent.

He also named artificial intelligence as potentially having the greatest impact on future global finances. "While some AI elements can be worrisome, it has the potential to boost worldwide production tremendously," he said. "As it becomes more incorporated, it will affect jobs."

"The U.S., however, will always remain pretty well positioned because of its ability to change."

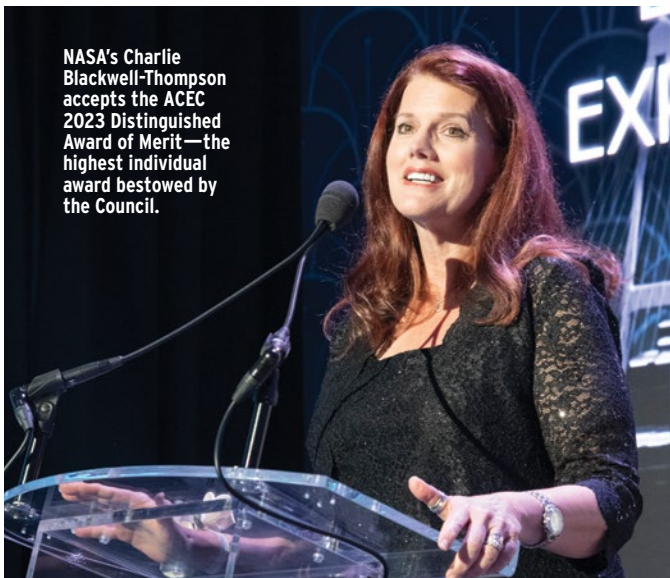
ECONOMIST MARCI ROSSELL: NO RECESSION IMMINENT

Former CNBC Chief Economist Marci Rossell told Convention attendees that talk of a recession was premature, and such

fears will be history by the end of 2023.

"A recession requires a decline in economic activity spread across several sectors, such as housing and unemployment, and that lasts

NASA's Charlie Blackwell-Thompson accepts the ACEC 2023 Distinguished Award of Merit—the highest individual award bestowed by the Council.



Former ACEC Meetings, Exhibits, and Awards Senior Vice President Mike Pramstaller bids the Board of Directors goodbye after 13 years of coordinating Council annual meetings as new Chair Jay Wolverton and ACEC President and CEO Linda Bauer Darr look on.

six months,” she said. “In 2022 we had two consecutive negative quarters of GDPs, and the fears began.” She said consumer spending also must start to decline, but that has not happened. “Has anyone flown this year? Were there a lot of empty seats? Of course not.”

The former host of the pre-market morning news show *Squawk Box* also emphasized that inflation is much more an economic negative than a recession, but even current inflationary impacts are starting to ease.

“Inflation peaked at 9 percent last year, and the alarms went off,” Rossell reflected. “The Feds raised interest rates 10 times over 18 months to address the increase. Since then, the rate of inflation has gone down about 1 percent each quarter. It should be back to its normal 2 to 3 percent range by the end of the year.”

She added that the economy today is vastly different than past years, such as with the U.S. becoming an oil producer now. “The result is that the global price of oil today has a net-zero impact on our economy compared to 15 years ago.”

THE MAGIC OF LIFE WITH JON DORENBOS

“Magic can happen anytime. You just have to be waiting for it.”

Those were the words of Jon Dorenbos during his General Session address. Dorenbos has worn many hats in his 42 years: Philadelphia Eagle. Two-time Pro Bowl selectee. Today he is best known for his thrilling and award-winning magic show, during which he performs dazzling sleight-of-hand card tricks combined with a poignant and riveting tale of survival, perseverance, and hard-won peace and forgiveness.

Using his trusty deck of cards as a metaphor for life, Dorenbos told attendees how a former NFL star came to be a motivational speaker and magician. His

story began in Seattle, where he and his sister grew up. Dorenbos’ tale is one of a happy and unremarkable childhood shattered when his father murdered his mother. He was 12 years old, effectively becoming an orphan.

With his father incarcerated, Dorenbos and his sister spent a year in foster care before moving to Southern California with their aunt. It was there that Dorenbos’ two worlds—football and magic—would collide. A chance encounter with magician Bill Malone and a spot on the Golden West Junior College football team changed the trajectory of Dorenbos’ life and set him on a path to healing. He told attendees, “You write your own script how your life is going to be. The words we tell ourselves determine the life we live.”

After a successful football career of more than a decade, another shock came: Four days after being drafted by the New Orleans Saints, a routine checkup revealed a latent and dangerous heart issue. Dorenbos was rushed to surgery. Although the procedure was successful, his football career was over. Thus began a new chapter in Dorenbos’ life: magician, talk show guest, Las Vegas standout, and motivational speaker.

Dorenbos closed the show with a couple of head-scratching card tricks and a takeaway: “Life happens. Good, bad, and ugly. What separates people is how they handle it.” ■

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ACEC 2023 ENGINEERING EXCELLENCE AWARD WINNERS

IN A CELEBRATION OF IMPRESSIVE ACHIEVEMENTS IN THE FIELD, the ACEC 2023 Engineering Excellence Awards (EEA) Gala recently honored 179 ACEC member firm achievements from throughout the nation and internationally.

A panel of 27 judges representing a wide spectrum of built environment disciplines selected 24 projects for top awards: 16 Honor Awards and 8 Grand Awards, which includes one project that won the Grand Conceptor Award for the year's most outstanding engineering achievement.

The Gala was hosted by comedian and Emmy Award-winning television host Ross Shafer and drew nearly 700 members and guests to recognize and honor exceptional engineering innovation.

2023 GRAND CONCEPTOR AWARD

Sixth Street Viaduct Replacement Project Los Angeles

HNTB

Client: City of Los Angeles Bureau of Engineering

Dubbed “the Ribbon of Light,” the viaduct sets a new threshold for seismic safety. The bridge seamlessly connects the Los Angeles Art District with the Boyle Heights neighborhood, using 10 pairs of sculptural arches and recalling the iconic beauty of the original 1932 structure. In addition to being the largest, most complex bridge project in the city’s history, the viaduct is believed to be the world’s longest seismically isolated concrete tied arch bridge, and it’s designed to be capable of remaining undamaged and operational after a 1,000-year seismic event. The bridge is designed not only as a transportation link supporting vehicular traffic, pedestrians, and cyclists but will also feature a future 12-acre park below.



Michael Jones, HNTB project manager, is joined on stage at the EEA Gala by the Sixth Street Viaduct Replacement team after the project was named the year’s most outstanding engineering achievement.



Frederick Douglass Memorial Bridge Project Washington, D.C.

AECOM

Client: District of Columbia Department of Transportation

The new Frederick Douglass Memorial Bridge completely transforms Washington, D.C.'s South Capitol Street corridor into an iconic and grand urban boulevard. Replacing a nearly 70-year-old structure to carry South Capitol Street over the Anacostia River, the new six-lane through-arch bridge contains three vehicle travel lanes in each direction. Generous 18-foot-wide pedestrian and bicycle paths on each side connect to a large pedestrian overlook where the arches meet the supporting concrete piers. The bridge is technologically advanced and designed for long-term durability, structural integrity, and sustainability, to continue a lasting tribute to Frederick Douglass.



I-74 Corridor Over the Mississippi River Bettendorf and Davenport, Iowa, and Moline and Rock Island, Illinois

Benesch/Modjeski and Masters

**Client: Iowa Department of
Transportation**

Spanning the Mississippi River, this \$1 billion megaproject was borne out of the need for increased capacity and structural improvements to the I-74 corridor serving the cities of Rock Island, Moline, and East Moline in Illinois, and Bettendorf and Davenport in Iowa. The massive 3,300-foot-long signature arch bridge and multi-use path form the centerpiece of the 7.8-mile corridor reconstruction project. The project highlight consists of two basket-handle, through-arch structures spanning the river. The crossing's attractiveness is complemented by an intricate hybrid foundation design well suited to the area's complex, seismically active geology.



Hugh K. Leatherman Terminal - Phase 1 Site Development North Charleston, South Carolina

HDR

Client: South Carolina Ports Authority

The \$1 billion, 135-acre project is the nation's first completed greenfield container terminal in the last decade. As the flagship facility of the South Carolina Ports Authority, the Leatherman Terminal will feature some of the tallest cranes on the East Coast, as well as emission-reducing electric ship-to-shore cranes and a container yard large enough to accommodate 700,000 terminal equivalent units. The project also reduces impacts on the environment, with nearby Drum Island transformed into a natural oasis with more than 100,000 new native plants. The project team overcame unusual challenges such as 70 feet of unsuitable mud, an unimaginable quantity of buried materials, and potential exposure to World War II-era bombs left over from the site's previous life as a U.S. Navy installation.

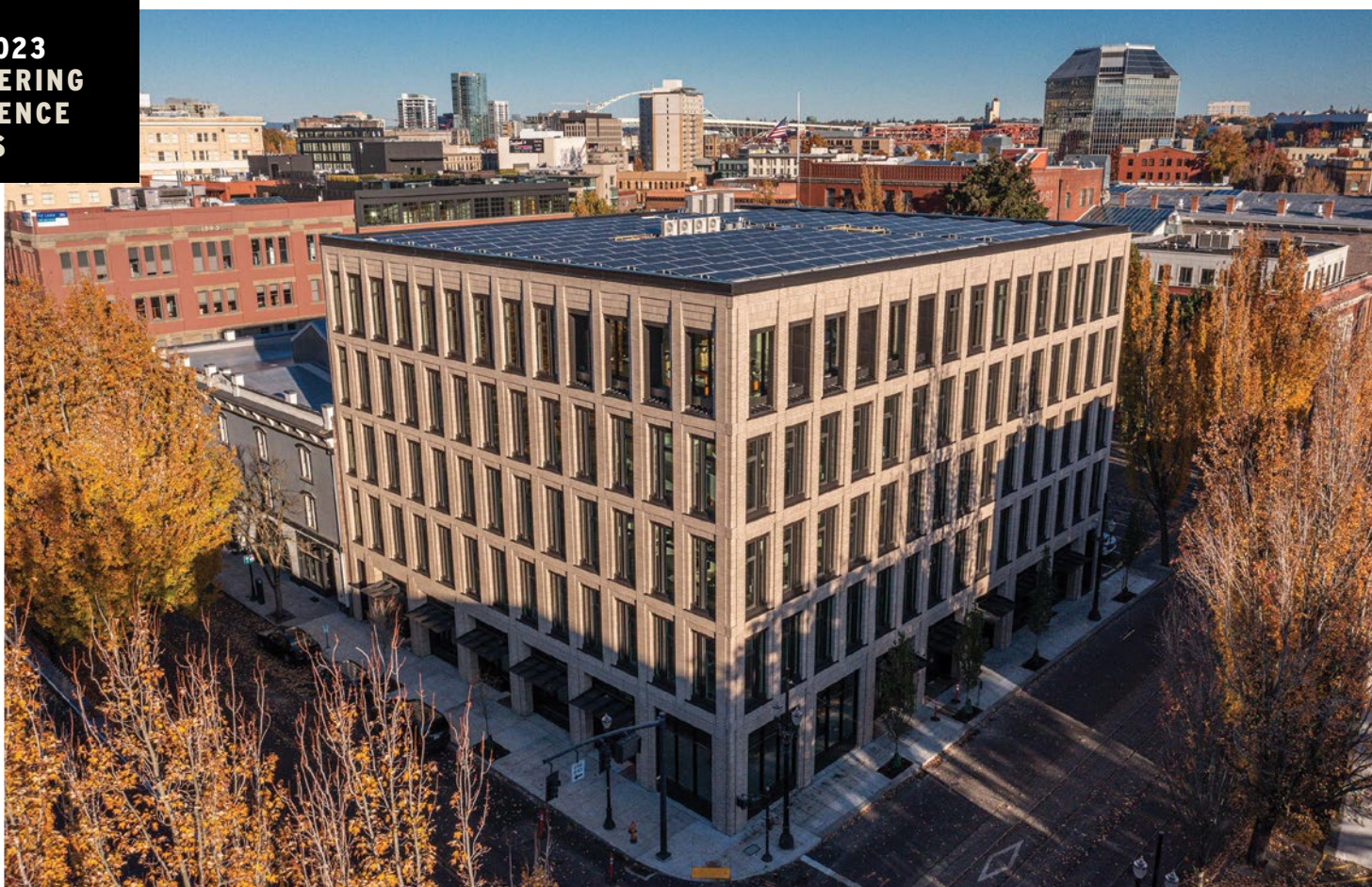




▲ Clear Creek Canyon Park – Gateway Segment Golden, Colorado

Muller Engineering Company
Client: Jefferson County Open
Space

The new gateway to Clear Creek Canyon and the Rocky Mountains unearthed a great treasure of historic and recreational promise previously hidden underneath. The 10-foot-wide Gateway Segment extends the Peaks to Plains Trail almost two miles into the canyon and includes two major trailheads with parking for almost 170 vehicles, as well as restrooms, shade shelters, and a shuttle bus stop. To maximize accessibility and environmental sensitivity, the trail was carefully routed between creek-side cliffs and riparian areas while keeping trail grades flat. A wooden irrigation flume from the 1930s was rehabilitated to create a secondary hiking trail, while historic stone walls from the 1870s Colorado Central Railroad were preserved and repaired.

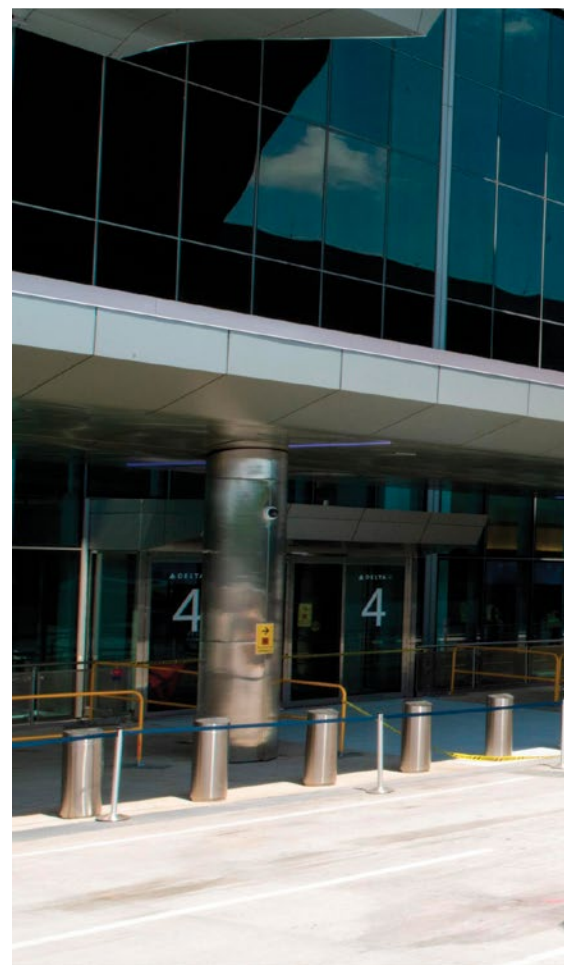


▲
PAE Living Building
Portland, Oregon

PAE

Client: First and Pine

Located in Portland's historic Old Town district, the five-story, 58,000-square-foot mixed-use building is the world's largest commercial urban "living building," meaning the structure meets the most rigorous standards for sustainable design, construction, and performance. The structure features photovoltaic panels that produce 110 percent of the building's electricity needs. All water is supplied from an on-site rainwater capture system that provides graywater treatment and nutrient recovery. The building also boasts a mass timber structural core that provides a 103 percent reduction in carbon emissions.





Delta's New Terminal C at LaGuardia Airport Queens, New York

STV/Satterfield & Pontikes (joint venture)

Client: Delta Air Lines

The new \$4 billion state-of-the-art facility serves as Delta Air Lines' regional hub for New York City and the tristate area. The project consolidates two outdated terminals into a 1.3-million-square-foot, LEED Silver facility with 37 gates spanning four concourses. The terminal's new headhouse, along with a new road network, opened in June 2022, providing passengers with a seamless check-in process in light-filled open spaces and innovative technology. The rest of Terminal C is set to be completed by the end of 2024—almost two years earlier than originally planned.





▲ **Climate Pledge Arena Seattle**

Thornton Tomasetti
Client: Populous

The former historic KeyArena, which was originally built in 1962 for Seattle's World Fair, is now the groundbreaking Climate Pledge Arena and home to the new Seattle Kraken National Hockey League franchise. The \$930 million renovation and expansion created an 800,000-square-foot, mostly below-grade venue with seating for more than 17,000 fans. The project team was challenged to preserve and support a 44-million-pound roof and exterior curtain wall, while the underlying structure was demolished to create the new facility. The structural design also incorporated numerous sustainability elements to ensure stability in the event of an earthquake and holds the distinction of being the first net zero-certified arena in the world.

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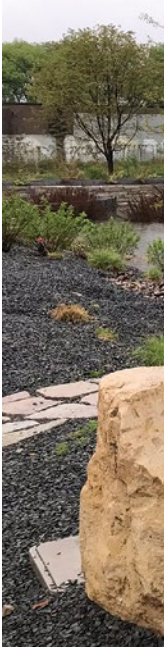




▲ **Jane Byrne Interchange Chicago**

AECOM/TranSystems (joint venture)
Client: Illinois Department of Transportation

Completion of the \$640 million interchange reconstruction marks the successful conclusion of a multiyear effort to upgrade a key gateway into downtown Chicago and a critical transportation hub for the entire region. One of the largest projects in the state's history, the new interchange eliminates a notorious national bottleneck and improves safety, efficiency, and mobility across multiple modes of transportation while more effectively connecting people and jobs throughout the Chicago area, as well as neighborhoods surrounding the interchange. The project included 19 bridges, nearly 50 retaining walls, and more than 32 miles of expressway lanes.



▶ **NASA Langley Measurement Systems Laboratory Hampton, Virginia**

AECOM
Client: NASA Langley Research Center

The new NASA Measurement Systems Laboratory (MSL) building at Langley Research Center is developing next-generation precision sensor technologies needed to accelerate NASA's future space exploration goals. The five-story, 175,000-square-foot facility is the latest in an ongoing program to modernize Langley's existing facilities into a smaller, state-of-the-art, energy-efficient, and sustainable core campus. Integrating operations previously dispersed in five buildings, the MSL contains vibration-sensitive wet and dry electronics, chemistry, and laser/lidar laboratories; shops; shielded chambers; high-bay spaces; and cleanrooms. The systems were optimized to minimize energy needs and meet NASA's ambitious sustainability goals.





◀ **Towerside District Stormwater Management System Minneapolis**

Barr Engineering Co.
Client: Mississippi Watershed
Management Organization

Located in a rapidly developing neighborhood spanning more than 300 acres, Towerside is the first designated innovation district in the Twin Cities. The Mississippi Watershed Management Organization saw a rare opportunity to build a district-scale urban stormwater treatment system that would reduce costs for landowners, implement more effective and environmentally friendly stormwater treatment methods, and provide public green space. The project team's design features two large biofiltration basins that collect, treat, and convey runoff to a massive 207,000-gallon underground cistern for additional treatment using ultraviolet light. The project includes thousands of feet of piping and supports about \$250 million in new development.

▼ **City Walk BHAM Birmingham, Alabama**

Barge Design Solutions
Client: Alabama Department of Transportation

An expansive 31-acre, 10-block project incorporates innovative spaces to reconnect neighborhoods along both sides of the now-reconstructed I-59/I-20 bridges. Five years of collective, community-focused efforts shaped the project team's master plan, providing direction for a design that features walking paths, a dog park, a food truck area, sports fields, a world-class playground, water features, an amphitheater, a 60,000-square-foot skate park, a biergarten, pickleball courts, open-air classrooms, and other long-sought amenities. Parts of the project represent Alabama's five physiographic regions and Birmingham's important history in the Civil Rights Movement.





▲
**I-579 Urban
Open Space Cap
Pittsburgh**

HDR
Client: City of Pittsburgh

The new I-579 Urban Open Space Cap bridges the interstate with a new 3-acre green space that restores a direct pedestrian link to the economic opportunities and amenities of downtown Pittsburgh. More than 60 years after construction of the Crosstown Boulevard created a divisive “concrete canyon” in Pittsburgh’s Lower Hill District, the Open Space remedies the development hurdle with an innovative land bridge spanning the interstate to reconnect to the predominantly African-American neighborhood. The site also features native trees, shrubs, and grasses to help reduce road noise and relieve heat island effects. All stormwater is retained through a system of tiered rain gardens.



▲
**City of Billings Nutrient Upgrade,
Expansion, and Improvements
Billings, Montana**

HDR
Client: City of Billings

The design for one of the largest public works projects in Billings’ history originally called for constructing all-new secondary treatment facilities at a projected cost of \$250 million. The project team instead proposed reusing existing secondary treatment basins for bioreactors to reduce nitrogen and phosphorus nutrients from discharge water. The facility’s nutrient-removal process uses biology to reduce nitrogen and phosphorous, avoiding the need for expensive chemicals as well as the cost of dewatering and disposal of resultant chemical sludge. The innovative approach saved the city approximately \$65 million in construction costs and enabled it to meet its permit limits for nitrogen and phosphorus for the foreseeable future.



I-295 Over Veranda Street Bridge Replacement Portland, Maine

HNTB

**Client: Maine Department of
Transportation**

In a single weekend in April 2022, workers rapidly demolished and replaced an aging I-295 bridge over Veranda Street using self-propelled modular transporters. The need to replace the three-span bridge also provided the opportunity to reconfigure Veranda Street and the I-295 ramp network to improve safety. In just 60 hours, workers demolished the existing bridge and erected new structures with exacting precision. The approach roadways were then reconstructed, allowing I-295 to be ready for the Monday morning commute. This first-of-its-kind project in the state reduced total construction time by half, lowered impact on motorists, improved safety, and drew widespread public accolades.



Reconstruction and Rehabilitation of the Upper Level Approach at the Verrazzano-Narrows Bridge Brooklyn to Staten Island, New York City

HNTB/WSP USA (joint venture)

**Client: Metropolitan Transportation Authority
Bridges and Tunnels**

Now nearly 60 years old but still an integral piece of the New York metropolitan region transportation system, the upper-level approach and anchorage span decks for the Verrazzano-Narrows Bridge had become sources of increasing maintenance and commuter headaches. The project team replaced 225,000 square feet of bridge deck; reconstructed the anchorage span superstructure; upgraded seismic performance; implemented two-way cashless tolling; and improved lighting, drainage, and sandpipes. The project brings the historic spans into a state of good repair for their 220,000 daily users, and also adds resiliency and flexibility for future rehabilitations.



Chatham Park Water Recovery Center Pittsboro, North Carolina

McKim & Creed
Client: Preston Development

With a focus on sustainability amid the area's continuing growth, the project team designed a state-of-the-art facility that treats wastewater from nearby North Village, a 2,224-acre mixed-use community within Chatham Park. Only the second of its kind in the U.S., the facility can recycle up to 182 million gallons of water annually and store up to 100,000 gallons of reclaimed water on-site. In addition, the center features a five-stage biological greenhouse nutrient-removal system that incorporates native plants and a pollination garden featuring 250,000 bees. Within the greenhouse, microorganisms are cultivated among plant roots to remove carbonaceous material, uptake nutrients, and break down waste—all without the use of chemicals.

SeaTac International Arrivals Facility Seattle

KPFF

Client: Port of Seattle

The most complex project in Seattle-Tacoma International Airport's history, the new International Arrivals Facility (IAF) more than doubles international arrival capacity by skillfully adding space and functionality within a small footprint. The facility features a spectacular 780-foot-long aerial walkway—the longest of its kind in the world; a 450,000-square-foot multilevel Grand Hall with an expanded baggage claim area; and enhanced U.S. Customs and Border Protection facilities that include new staff offices. A sterile corridor along the face of the existing Concourse A can be configured to accommodate eight wide-body aircraft gates for international flights with direct access to the IAF.



100 Vandam Street New York City

Severud Associates

Client: COOKFOX
Architects, DPC

Rising over 320 feet above the corner of Greenwich and Vandam streets in Manhattan, 100 Vandam offers approximately 150,000 square feet of luxurious and sustainable residential and street-level retail space. Maintaining and restoring the existing façades of the previous buildings at 100 and 98 Vandam Street was challenging, as the new tower was essentially carved into the “gut” of the century-old façades. The goal was to maintain the district's historic atmosphere while the new glass façades and verdant balconies add a modern aesthetic. Once engineers tied the superstructure to the existing façade, the bracing was removed, leaving the original streetscape intact. The masonry was refinished to restore the original beauty and craftsmanship.



Navajo-Gallup Water Supply Project Counselor, New Mexico

Souder, Miller & Associates

Client: Navajo Nation

Designed and constructed in eight phases over 13 years, the new transmission system supplies clean, reliable, potable tap water from the Cutter Reservoir to more than 10,000 Navajo Nation members across eight communities and four counties in rural New Mexico. Residents previously had to rely on inconsistent and subpar groundwater, as well as costly water transported from other regional sources. The project included about 84 miles of a new transmission system, including pumping plants, storage tanks, surge tanks, chlorinators, and system control installations. Instead of solely relying upon maps and satellite imagery to finalize the alignment, the project team walked the entire route to fully evaluate the actual terrain; identify all road, waterline, and utility crossings; and avoid all known archaeological and cultural sites.



Bridging Kentucky Frankfort, Kentucky

Stantec/Qk4/AECOM

Client: Kentucky Transportation Cabinet

Bridging Kentucky provides an innovative strategy to rehabilitate, repair, or replace hundreds of deficient bridges across the commonwealth. Led by Stantec and featuring expertise from 16 other engineering consultants, the project team conducted extensive structural assessments, and executed the most cost-effective and time-efficient plan to bring the bridges up to current safety standards. The team also developed a programmatic approach to expedite bridge construction while minimizing costs. Streamlining design requirements reduced the project development process from approximately four years to fewer than 18 months. The project allows the Kentucky Transportation Cabinet to address state bridge issues while shortening development timelines and reducing costs.



SeaPoint Industrial Terminal Complex Savannah, Georgia

Terracon

Client: Dulany Industries

The 755-acre remediation of the Tronox site at the SeaPoint Industrial Terminal Complex in Savannah is the largest clean-up effort in the history of Georgia's Environmental Protection Division's Brownfields Program. The project team provided a variety of remedial services, including excavation of contaminated material from drainage ditches, uplands, and wetlands, and consolidation of titanium dioxide waste and dredge spoils. Redevelopment of the site will create more than 1,700 high-wage jobs and is projected to generate an annual economic impact of nearly \$1 billion.



Merchants Bridge Main Span Trusses and East Approach St. Louis

TranSystems

Client: Terminal Railroad Association of St. Louis

Opened in 1889, Merchants Bridge is the second-oldest bridge over the Mississippi River in the St. Louis region. As one of the nation's primary links to eastern and western U.S. rail networks, the bridge had exceeded its design life and was operating under a variety of speed, clearance, and load restrictions. To bring the bridge back to efficient reliability, the project team designed reconstruction of the main span trusses, deck plate girder approaches, and the east approach trestle encasement. The bridge can now handle two freight trains at once, while also offering extra capacity to provide higher-velocity rail car movement to the Gulf, Canada, and Mexico.



66 Hudson Boulevard - The Spiral New York City

WSP USA

Client: Tishman Speyer

Known as “the Spiral” the 1,041-foot-tall, 66-story commercial office building offers 2.85 million square feet of space. The project team utilized innovative structural design to successfully achieve the spiraling terraces that give the building its namesake, featuring unique floor plates at each tower level. The complexity of the horizontal trusses at so many different elevations required creative connections to the core columns. In addition, team members collaborated to achieve LEED Silver Certification for the building, which included using 33,000 tons of sustainable steel manufactured from 100 percent recyclable materials.

NATIONAL RECOGNITION AWARD WINNERS

FIRM NAME	PROJECT NAME	FIRM NAME	PROJECT NAME
ACEC ALABAMA (Renée Casillas, Executive Director)		ACEC HAWAII (Ginny Wright, Executive Director)	
Building & Earth Sciences	Buc-ee's Travel Center - Geotechnical Engineering/ Materials Testing/Special Inspections per the International Building Code	Sam O. Hirota Inc.	Documenting Hawai'i's Art in Architecture Program
Sain Associates	Redland Road/Firetower Road Intersection	ACEC OF IDAHO (Elizabeth Conner, Executive Director)	
ACEC ARIZONA (Justan Rice, President)		HDR	US-95 Granite North and Frontage Roads
Gannett Fleming	Phoenix Convention Center Shoring Wall	ACEC ILLINOIS (Kevin Artl, President and CEO)	
ACEC CALIFORNIA (Brad Diede, Executive Director)		Collins Engineers	Gantry Erection of the Mile Long Bridge on I-294
Atlas Technical Consultants	LA Metro Inspection of Structures, Transit Asset Management Program	Farnsworth Group Gannett Fleming/TranSystems/ HR Green Wight & Company/ T.Y. Lin International Great Lakes WSP USA	Phillips 66 Dock Lines Replacement Tri-State Tollway (I-294) BNSF Railway Bridge I-294/I-57 Interchange, Phase Two
BKF Engineers	Bayfront Expressway Pedestrian and Bicycle Overcrossing	WSP USA	Lakefront Trail Widening at DLSD Bascule Bridge
Burns & McDonnell HDR	Moosa Creek Riparian Restoration	ACEC INDIANA (Beth Bauer, Executive Director)	
Kimley-Horn	Narlon Bridge Replacement	American Structurepoint	Hospital Enabling Utilities Project
Walter P Moore	SFOBB Metering Lights System Upgrade Project YouTube Theater	ACEC/IOWA (David Scott, Executive Director)	
ACEC COLORADO (Heidi Gordon, Executive Director)		AECOM HDR	University Avenue Reconstruction Council Bluffs Water Works Council Point Water Treatment Plant
IMEG Corp. JVA Inc.	Aspen City Hall Great Dharma Chan Monastery for the Chung Tai Zen Center of Boulder	HDR	Denison Municipal Utilities Wastewater Treatment Plant Improvements
KL&A Engineers & Builders ME Engineers	Meow Wolf Denver Climate Pledge Arena	HDR	U.S. 20 Swiss Valley Interchange
ACEC-CT (Tricia Priebe, Executive Director)		ACEC KANSAS (Scott Heidner, Executive Director)	
CHA Consulting	Relocation of I-91 Northbound Interchange 29 and Widening of I-91 Northbound and Route 5/15 Northbound to I-84 Eastbound Project	HNTB	Advancing Kansas' Connected and Autonomous Vehicle Vision
Tectonic Engineering Consultants, Geologists & Land Surveyors	Upper Collinsville Dam - Hydroelectric Power Plant	HNTB	I-35 and 119th Street Interchange Reconfiguration
ACEC-FL (Allen Douglas, Executive Director)		ACEC-KY (Russell Romine, Executive Director)	
HDR/Jacobs DJV Keith and Associates Inc., dba KEITH Kimley-Horn	I-4 Ultimate Improvement Project Everglades Holiday Park	Gresham Smith	Complete Streets, Roads, and Highways Manual KY 237 Widening and Reconstruction
WGI Inc.	Legacy Trail Extension and North Port Connector Wekiva Parkway Section 6	Palmer Engineering Schnabel Engineering	Graves Road - The Trifecta of Risk Bullock Pen Lake Dam Rehabilitation
ACEC GEORGIA (Michael Sullivan, President and CEO)		Stantec	U.S. 60 Spottsville Bridge Replacement
Long Engineering (an Atlas Company)	Kendeda Building for Innovative Sustainable Design	Strand Associates	Hite Creek Water Quality Treatment Center Expansion
Thomas & Hutton	Hilton Head National RV Resort	Strand Associates	Second Street Corridor TIGER Grant Project
		WSP USA	I-64 WB to I-264 WB Ramp Improvements



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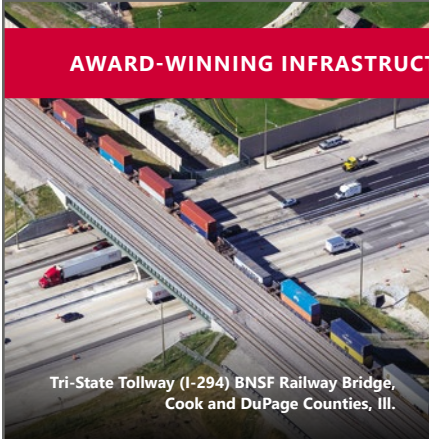
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NATIONAL RECOGNITION AWARD WINNERS

FIRM NAME	PROJECT NAME	FIRM NAME	PROJECT NAME
ACEC OF LOUISIANA (Barker Dirmann, President and CEO)		ACEC/MN (Jonathan Curry, Executive Director)	
T. Baker Smith	iBlueHarbor	Braun Intertec	Arbor Lakes Corporate Center
ACEC OF MAINE (Tanya Griffith, Executive Director)		HNTB	Metro Orange Line BRT
TYLin	I-95 Piscataqua River Bridge Rehabilitation	Kimley-Horn	CSAH 101 Improvements
WBRC/Thornton Tomasetti	Ferland Engineering Education and Design Center	Kimley-Horn	Hennepin Avenue Downtown Reconstruction
ACEC/MD (Chad Faison, Executive Director)		LHB Inc.	TH 61 Grand Marais Reconstruction
PRIME AE Group	I-95 Express Toll Lanes Northbound Extension - Clayton Road Overpass Replacement	Meyer Borgman Johnson	The Dayton's Project
Sargent & Lundy	Key Crossing Reliability Initiative	Short Elliott Hendrickson/	10th Avenue Bridge SE Rehabilitation
Whitman, Requardt & Associates	I-895 Bridge Project	Olson & Nesvold Engineers	
Whitman, Requardt & Associates	MD 32 Phase 2	ACEC/MISSOURI (Morgan Mundell, President and CEO)	
ACEC/MA (Abbie Goodman, Executive Director)		Burns & McDonnell	South/Central Terminal Baggage Handling Program
GEI Consultants	Conley Terminal Modernization – Berth 10	EFK Moen	Showcasing Sustainable Stormwater Infrastructure
Green International Affiliates	Crescent Street Over Millers River Bridge Replacement	Horner & Shifrin	Oglesby Park
Simpson Gumpertz & Heger	MBTA Tunnel Investigation	Walter P Moore	GEODIS Park
TEC Inc.	Pavilion at Riverwalk	ACEC NEBRASKA (Jeanne McClure, Executive Director)	
Weston & Sampson	Resilient MA Action Team Climate Resilience	HDR	Columbus Recharge Project
ACEC/MW (Hugh “Mac” Cannon, President)		HDR	Eppley Airport Terminal Drive
A&F Engineers	Gaston Hall – Balcony Rehabilitation	HDR	Kiewit Global Headquarters
Alpha Corporation	MD 355 Multi-Modal Crossing	HDR	North Wellfield Flood Restoration and Hazard Mitigation
Arup	80 M Street SE	ACEC NEVADA (Dawn Miller, Executive Director)	
Century Engineering, a Kleinfelder Company	West Half – Mechanical, Electrical, and Plumbing System Design	Walter P Moore	Dollar Loan Center
EBA Engineering	Howard Street Emergency Sinkhole and Water Main Repair	ACECNJ (Joseph Fiordaliso, President)	
HNTB	North Glebe Road Over Pimmit Run – Bridge Rehabilitation	Greenman-Pedersen	Route 495, Route 1 & 9/Paterson Plank Road Bridge
Kimley-Horn	Virginia Transit Equity and Modernization Study	H2M architects + engineers	ACMUA Emergency PFC Treatment
Loring Consulting Engineers	Michigan State Capitol Infrastructure Upgrades and Below-Grade Heritage Hall	HDR	Howell Transmission Main
M.C. Dean	Alexandria Rail Yard ATC Replacement	HNTB	Emergency Repairs Turnpike Interchange 7 Ramp Over Route 206
ACEC/MICHIGAN (Ronald Brenke, Executive Director)		Michael Baker International	Scudder Falls Bridge Replacement Project
Abonmarche Consultants	Benton Harbor Lead Service Line Replacement	Remington & Vernick Engineers	Atlantic City Expressway Connector Resurfacing
Anderson, Eckstein & Westrick	Shelby Township Library Project	WSP USA	Absecon Creek Maintenance
Barr Engineering	Landslide Mitigation Protects Hydropower Site	WSP USA	Dredging and Gateway Confined Disposal Facility
Bergmann	I-69/I-475 Interchange	WSP USA	Route 22/Middle Brook Hurricane Ida Emergency Repairs
Fleis & VandenBrink	Challenges of Scanning Mackinac Island		Spruce Street Bridge Reconstruction
HED	Ford Motor Company Robotics Building		
SmithGroup	Visitor Center and Administration Building		
Wade Trim	TCARP Natural Gas Pipeline Construction Survey		

AWARD-WINNING INFRASTRUCTURE SOLUTIONS



Tri-State Tollway (I-294) BNSF Railway Bridge,
Cook and DuPage Counties, Ill.



Lazelle Road Widening,
Columbus, Ohio



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Phoenix Convention Center Shoring Wall,
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Sixth Street Viaduct Replacement
Los Angeles, CA



NATIONAL RECOGNITION AWARD WINNERS

FIRM NAME	PROJECT NAME	FIRM NAME	PROJECT NAME
ACEC NEW YORK (John Evers, President and CEO)		ACEC TENNESSEE (Kasey Anderson, Executive Director)	
AECOM/Dewberry (joint venture)	Hunts Point Interstate Access Improvement Project	CDM Smith	Virtual Public Meeting for SR-162 Pellissippi Parkway Extension Project
AKF Group	Central Park Tower	Gresham Smith	Guam Waterworks Authority – Northern District Wastewater Treatment Plant Expansion
CDM Smith	Cramer Hill Waterfront Park/ Harrison Avenue Landfill Closure and Shoreline Restoration	Gresham Smith	I-24 MOTION
COWI	Design-Build Quality Oversight	Kimley-Horn	Middle Fork Bottoms Recreation Area
Dagher Engineering	425 Grand Concourse – High-Rise Passive House	LDA Engineering	NDOT WalknBike Plan
Erdman Anthony	I-390 Interchange Improvements at I-490	Stantec	Flood Predictor
Hardesty & Hanover	Reconstruction of I-678 Corridor Main Substation and Electrical Distribution System	TTL	Madison Station Boulevard
Hazen and Sawyer	Kew Gardens Interchange	ACEC TEXAS (Peyton McKnight, President)	
HDR	Hudson Research Center – Infrastructure Upgrades	American Structurepoint	FM 3237 and FM 150 Roundabout Project
Jaros, Baum & Bolles	Installation of Two Sub-Aqueous Water Mains to City Island	BGE Inc.	Texas Heritage Parkway
McMillen Jacobs Associates Engineering	Steele Creek Restoration and Flood Mitigation Design	Freese and Nichols	Biosolids Management and Beneficial Reuse
SLR Engineering, Landscape Architecture, and Land Surveying	NYSTA Cashless Tolling Design and Construction Quality Assurance	Freese and Nichols	Hazardous Roadway Overtopping Mitigation
WSP USA		Garver	Dallas Love Field Exterior Lighting Program
ACEC/NC (James Smith, Executive Director)		Half	East Austin Emergency Utility Repair
Schnabel Engineering South	West Fork Eno Reservoir Phase 2 Expansion	Walter P Moore	Ion
ACEC OHIO (Beth Easterday, President)		ACEC UTAH (Michael Smith, Executive Director)	
Gannett Fleming	Lazelle Road Widening Project	Horrocks	Utah Correctional Facility Relocation
HNTB	Opportunity Corridor	VBFA Inc.	Snowbird Power Systems
Karpinski Engineering	H Building Infrastructure Upgrades	ACEC VIRGINIA (Nancy Israel, President)	
KS Associates	Cedar Point Causeway Wetlands Breakwater	Clark Nexsen	Ferguson Headquarters 3
ms consultants inc.	Amended Vegetated Filter Strip	Johnson, Mirmiran & Thompson	Modular Roundabouts
ms consultants inc.	BMP Research	Kimley-Horn	Chesapeake-Elizabeth Interceptor System Diversion
	Fifth Avenue Safety Upgrade and Rehabilitation	Walter P Moore	Virginia Commonwealth University Adult Outpatient Pavilion
ACEC OREGON (Alison Davis, Executive Director)		ACEC WASHINGTON (Van Collins, President and CEO)	
Jacobs	PacWave South Underground Construction	David Evans and Associates	Downtown Seattle Transit Tunnel
KPFF	Congressman Earl Blumenauer Bicycle and Pedestrian Bridge	GeoEngineers Inc./KPFF/Granite	Padden Creek Fish Passage Design-Build
ACEC/PA (Brent Sailhamer, Executive Director)		HDR	Umtanum Suspension Bridge Rehabilitation
Johnson, Mirmiran & Thompson	Adelphia Gateway	Magnusson Klemencic	Presidio Tunnel Tops
Johnson, Mirmiran & Thompson	M29 Outfall Improvements	Pertec Inc.	Fairview Avenue North Bridge Replacement
WSP USA	Forbes Road Emergency Slide Repairs	WSP USA	West Seattle Corridor Bridge Rehabilitation and Strengthening Project
ACEC-SC (Adam Jones, Executive Director)		ACEC WISCONSIN (Chris Klein, President and CEO)	
HDR	Lowcountry Rapid Transit Project Programming and Development	HNTB	Madison Beltline Flex Lane
Michael Baker International	U.S. 21 Bridge Replacement Over Harbor River	KL Engineering	North Fish Hatchery Road Reconstruction
		raSmith	University of Wisconsin–Madison Camp Randall Stadium South End Zone
		Strand Associates	Star City Wastewater Treatment Plant Improvements

CONGRATULATIONS

to the seven Kimley-Horn projects honored with the ACEC 2023 National Recognition Award

- 01. CSAH 101 Improvements
- 02. Middle Fork Bottoms Recreation Area
- 03. Hennepin Avenue Downtown Reconstruction
- 04. San Francisco Oakland Bay Bridge Metering Lights System Upgrade Project
- 05. Virginia Transit Equity & Modernization Study
- 06. Legacy Trail Extension and North Port Connector
- 07. Chesapeake-Elizabeth Interceptor System Division Improvements

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01.



02.



03.



04.



05.



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ACEC thanks the 2023 Engineering Excellence Awards (EEA) Judges and EEA Committee members for their time and dedication to this year's competition.

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Transportation
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Department
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Highway Division)
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Development Alliance
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Congratulations to the entire project team and all 2023 award winners!

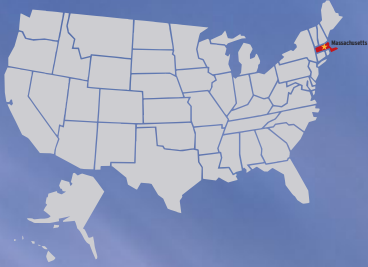


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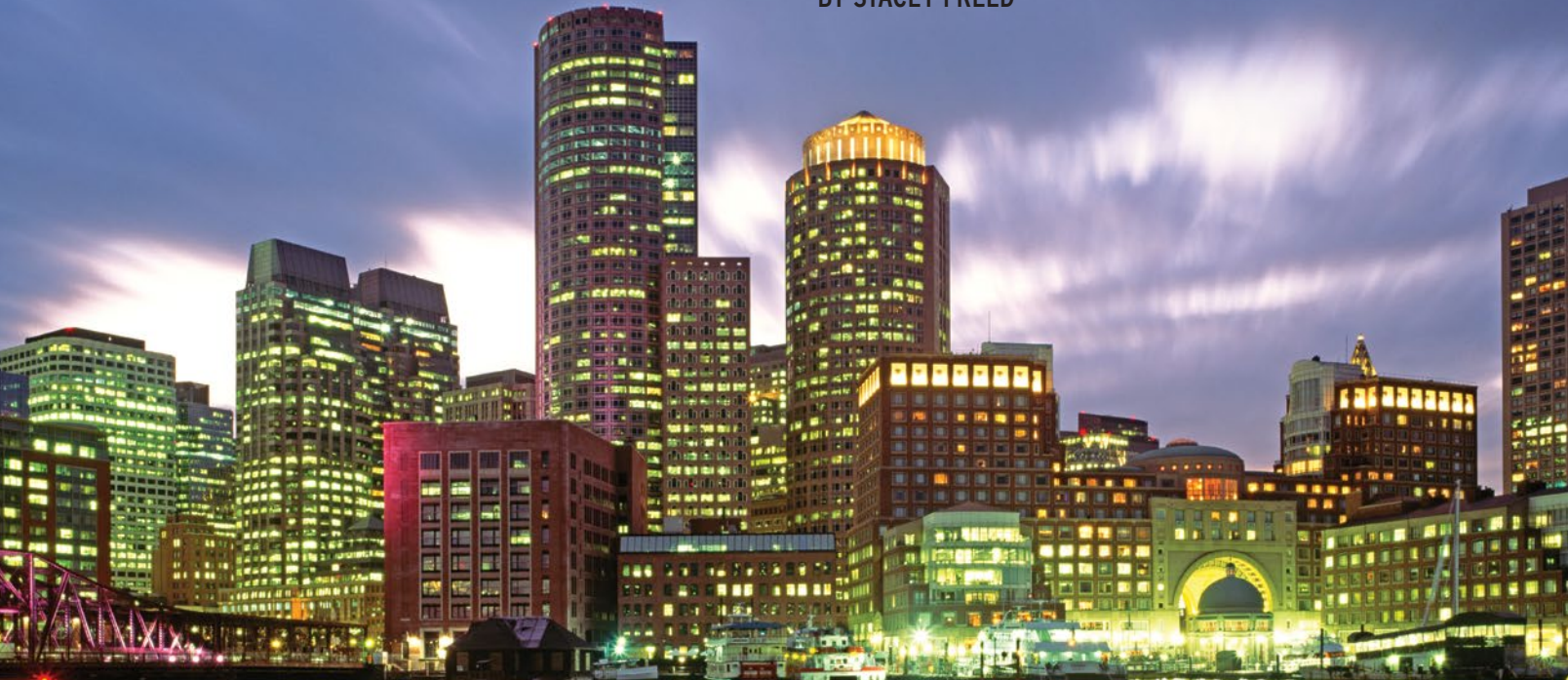
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**COLLABORATION, PARTNERSHIPS,
AND LEADERSHIP EFFORTS ON
BUSINESS AND DIVERSITY ISSUES
MAKE ACEC/MA A POWERFUL
VOICE FOR THE INDUSTRY.**

BY STACEY FREED



ACEC/MA:

Authenticity Rules

One of the first things you might notice about ACEC/MA is that many of the organization's leaders are women—which is notable for an industry in which women make up only 15 percent of its professionals. When asked about it, Executive Director Abbie Goodman laughs and says, “This is Massachusetts. We have a woman governor, a woman lieutenant governor, a woman treasurer, a woman attorney general, a woman auditor, and a woman climate chief.”

A determination to be inclusive is one of the key drivers of the organization's mission to achieve higher professional, ethical, business, and economic standards to provide quality consulting engineering services for the clients and communities it serves. It's a strategy that starts at the top, with Goodman's leadership. “Abbie works hard to bring along women in the industry,” says Rebecca Williamson, vice president of ACEC/MA.

FORCE FOR CHANGE

With 7,000 bills filed in the state house each legislative session, ACEC/MA has its work cut out for it. While not every bill will impact its members, the organization looks at “some 400 to 500 bills to find information helpful to our clients and our community,” Goodman explains.

Success at the statehouse takes research, partnering, relationship building, and educating. Goodman's background as the state's director of tourism and director of international trade, in conjunction with the skills brought by ACEC/MA's dedicated board and committee members, have made the Member Organization a force to be reckoned with on Beacon Hill.

One issue appears often. “Every legislative session since I started 27 years ago, we have seen bills filed that would prohibit the state from contracting out for engineering and land surveying services from the private sector. And we have fought those successfully every session,” Goodman says.

In recent years, the organization has been successful on a variety of fronts, helping to push through:

- A bill to modernize Dig Safe, a program that promotes safety and prevents damage to underground utilities during excavation. “Land surveyors couldn't access Dig Safe records until 48 hours before construction,” Goodman says. “But they often need the information as much as two years before anything is going in the ground.”
- Legislation that created a water infrastructure finance commission to get the state legislature involved with the problems related to water, sewer, and stormwater infrastructure.
- A Good Samaritan bill to prevent litigation against design professionals and contractors who are called to action by a public agency during an emergency.
- A law for design professionals so they can put a lien on a property if the owner or contractor is not paying them for completed work.

During the 2023-2024 session, ACEC/MA is working on a lot of legislation around stormwater, sewers, and drinking water, including the so-called wipes labeling bill. This explains

ACEC/MA AT A GLANCE

Begun in 1960, ACEC/MA now has 120 member firms engaged in the development of transportation, environmental, industrial, and other infrastructure. Those companies bring along their 7,000 employees to participate in the organization's 16 different committees and business practice forums and in myriad networking and educational opportunities.

At the helm are President Colleen Moore, Vice President Rebecca Williamson, National Director Lisa Brothers, and Executive Director Abbie Goodman.

the importance of labeling non-flushable wipes, which have wreaked havoc on sewage treatment plants. “Plant operators were spending money on trying to get parts to replace pumps and other equipment rather than spend their limited funding on the things that they really needed to do,” Goodman says.

The Member Organization is also gearing up for a water bond bill. Goodman says that for transportation, the legislature appropriates some money each year, but for water, wastewater, and stormwater infrastructure, “it's federal money coming into the Clean Water Trust as well as grants and loans—but not enough money for all the needs that we've identified.”

Testifying, letter writing, and state house meetings are only one part of the advocacy equation. ACEC/MA has also formed partnering committees with major clients, including the Massachusetts Department of Transportation (MassDOT), Massachusetts

Bay Transportation Authority, and Massachusetts Port Authority. Member firms can have one employee sit on each of the partnering committees.

Collaboration helps ACEC look at “the issues, stumbling blocks, and how we can work with clients to improve the process,” Williamson explains. “And clients look to us consultants when they're having trouble on their end, if they need to collect data or get information out to the engineering community. ACEC will distribute the information, run training sessions, and set up webinars and in-person meetings to get information to more people.”

Recently, the Member Organization hosted a half-day energy and utility markets conference. Cynthia Joudrey, an ACEC/MA past president, moderated the session, which brought together members of the Massachusetts Water Resource Authority; Eversource, a municipal energy provider; Melissa Hoffer, the state's first climate chief; and other energy advocates and policymakers.

“The engineering community was present, as were the permitting experts who work to implement these projects,” Joudrey says. “We asked, how can we help? What do you need from us, and how can we collaborate? These kinds of meetings are a great way to ask questions of policymakers and our clients that are attending.”



"Every legislative session since I started 27 years ago, we have seen bills filed that would prohibit the state from contracting out for engineering and land surveying services from the private sector. And we have fought those successfully every session."

ABBIE GOODMAN
EXECUTIVE DIRECTOR, ACEC/MA



"We work with community colleges to engage students and communities of groups historically underrepresented in the STEM workforce, adult learners, minorities, and women."

REBECCA WILLIAMSON
VICE PRESIDENT, ACEC/MA

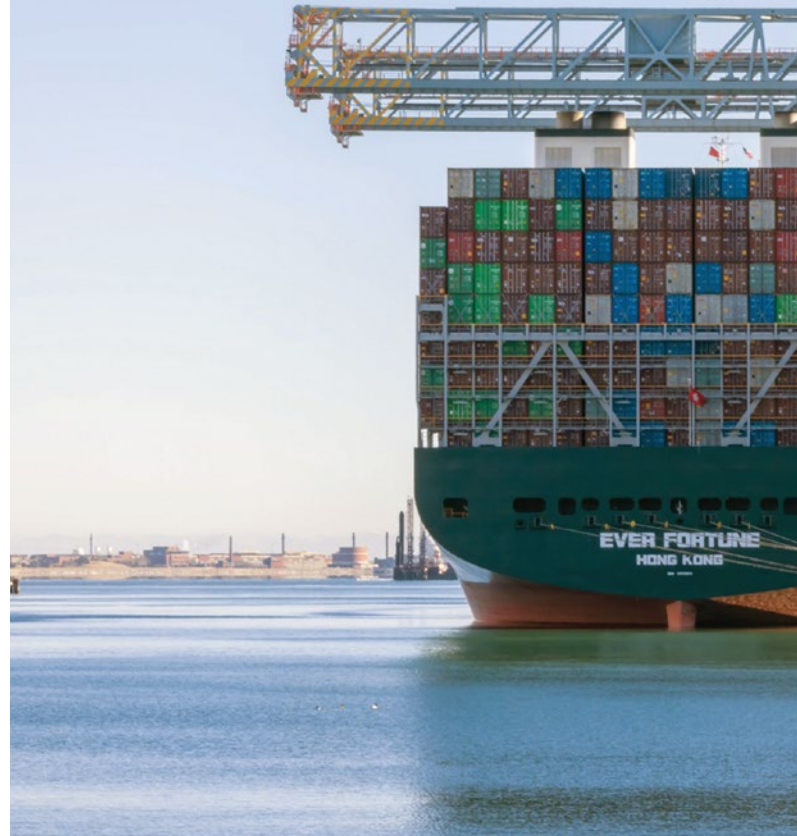
A VOICE FOR ALL

ACEC/MA President Colleen Moore chairs the Government Affairs Committee and is mostly involved with transportation agencies. As the owner and president of a small construction services firm, Moore offers a different perspective than large firms. "I'm able to voice concerns about how requirements for large firms will impact and possibly burden smaller firms," she says. "And while it's hard for a small firm to be able to advocate for itself, I'm backed by the strength of the entire organization. A small firm can say, 'Here are the issues I'm encountering,' and ACEC is a resource."

For example, Moore's committee is working to get MassDOT to reevaluate a change rule that would essentially freeze overhead rates for a defined duration of a project. But that can burden smaller firms much more than larger firms, Moore points out. "It can eat up your budget really fast if you have to use the original contract overhead rate, even if it's 10 percent or 20 percent higher later on in the project."

In addition, she says, "The other benefit to small firms is the access to larger firms for networking and teaming opportunities."

Massport's Conley Container Terminal Modernization - Berth 10 received the ACEC/MA 2023 Grand Conceptor Award and an ACEC 2023 National Recognition Award.



A FOCUS ON DEI&B

As is the case nationwide, the labor shortage looms. Massachusetts has a need for engineers, particularly since the passage of the federal infrastructure bill and the influx of money for large public works projects. "A lot of senior people are retired. There's a shortage of middle managers, and while there are some newer people entering the industry, there's a learning curve," Moore says.

ACEC/MA is doing its part to bring in younger people with programs such as its task force for STEM Starter Academy. "We work with community colleges to engage students and communities of groups historically underrepresented in the STEM workforce, adult learners, minorities, and women," Williamson says. "We try to get them involved at our firms and show them options for the future."

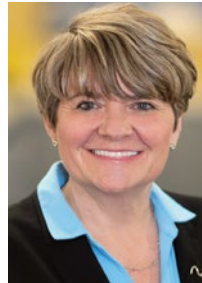
The other way to move the needle on labor is through diversity, equity, inclusion, and belonging (DEI&B) initiatives, says Lisa Brothers, national director for ACEC/MA and chair of the ACEC DEI&B Committee, which she helped launch. "ACEC/MA has done tremendous work in this space, establishing both a DEI&B committee and a forum," Brothers adds.

The committee figures out what, as a local Member Organization, it can do to help move the issues around DEI&B forward. In the forum, they have open communication, programming,



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COLLEEN MOORE
PRESIDENT, ACEC/MA



“We need to be inclusive and open to everybody out there and get younger people in, and then keep them in our industry.”

LISA BROTHERS
NATIONAL DIRECTOR, ACEC/MA

networking, and roundtable discussions about what other firms are doing and how to begin conversations around DEI&B. ACEC/MA is also working on metrics around DEI&B and has done surveys of its member firms.

“The senior leadership has taken it seriously,” Brothers says. “It’s not about ticking boxes. They recognize that if you don’t have commitment from the CEO, and the CEO isn’t authentic about it, then it’s hard for the rest of the organization to move that ball forward.”

The need for DEI&B is more important than ever. “We have a huge workforce shortage,” Brothers adds. “We need to be inclusive and open to everybody out there and get younger people in, and then keep them in our industry. We must work really hard to make people feel like they are included and that they belong. For example, we’re graduating more women engineers, but the industry itself still has the same small percentage of professional female engineers.”

That brings us back to the strong showing of women leaders at ACEC/MA. Brothers adds that even before she was president of the Member Organization back in 2010, “the Nominating Committee was always thoughtful of getting a diverse group of board members. They were very thoughtful about the makeup of the board, how diverse it was, and where they could reach



“[ACEC/MA conferences] are a great way to ask questions of policymakers and our clients that are attending.”

CYNTHIA JOUDREY
PAST PRESIDENT, ACEC/MA

out to find other people. And it’s not just diversity in gender or ethnicity. We look at size of firms. We look at whether they do private or public sector work. We look at whether they’re vertical construction versus horizontal.”

With all of their hard work, Williamson says, “We’re optimistic about the future of engineering in Massachusetts.” ■

Stacey Freed is a writer based in Pittsford, New York, who has contributed to This Old House, Professional Builder, and USA Today.

A HIGHLY SELECTIVE APPROACH

Many firms are turning down work due to concerns about potential risk

BY BOB VIOLINO

Engineering firms are using a broad set of criteria in selecting professional liability insurance (PLI) insurers—beyond premium costs—and are regularly turning down or not pursuing work due to concerns about potential risks.

These are among the key findings of the *2023 PLI Survey of Member Firms for Fiscal Year 2022*, conducted by the ACEC Risk Management Committee. This survey, which produced 439 respondents, took place in April and May 2023.

WHAT FIRMS LOOK FOR

When selecting or evaluating insurance carriers, member firms consider several key attributes, including pre-claims assistance, claims handling, and the carrier's risk management programs.

"We actively engage in pre-claims assistance on any significant potential claim," says Tim Haener, chairman and corporate risk manager at J-U-B and vice chair of the Risk Management Committee. "Our carrier assigns counsel to assist in our evaluation and response to the issue, which gives us greater confidence in our approach to resolution and protects us from making a blunder."

The insurance company pays the legal expenses "because they win when we can effectively prevent an issue from becoming a significant claim," Haener explains. "That's our goal: Get issues identified and resolved so we can all move on with the client relationship intact."

At BGC, trust and relationship-building are critical in the pre-claim setting, "as that helps influence decision-making, risk escalation, and go/no-go decisions," says Sheldon North, the firm's corporate affairs and risk management lead.

As for carriers' claims handling, "having our primary insurers' panel counsel be known and respected by our board of directors makes for more rapid risk-informed decisions," North says. "We have been very pleased with our primary insurers over the years, and being able to select which panel counsel we use is critical."

When considering carriers' pre-claims assistance, engineering firm Hanson looks for responsiveness and an active partner in evaluating potential claims and helping to resolve issues with clients, says Jim Messmore, senior vice president and infrastructure market principal at the firm.

HIGH



As for risk management programs, Hanson looks for breadth of topics offered; ease of delivery of content to the firm's personnel; and the ability to deliver, track, and maintain records of training that have been delivered and completed by personnel, Messmore says.

"The pre-claims assistance provided by our carrier meets our needs by providing early guidance and expertise, protection under attorney-client privilege, and payment for issues designated as loss prevention," says Eric Huber, senior risk manager at Gresham Smith. "The claims handling provided by our carrier meets our needs by providing qualified panel counsel, understanding of reputation and client influences, patience, a reasonable settlement process, and a trusting relationship."

In today's business environment, "firms need to focus on the overall value of the program in terms of time saved and expertise provided in support of their practice," says Kevin Collins, design and construction leader and managing director at managing general underwriter Victor.

Outside of reasonable pricing, Collins thinks clients should consider factors such as claims handling and services, overall risk management guidance and services in support of the firm's continued development and knowledge, and coverage that addresses the unique aspects of the firm's practice. A provider should address areas of deductible obligation, defense outside the limits, and rectification coverage.

The latest PLI survey found that there was a drop in overall satisfaction of claims handling compared with the year prior, Collins notes. "Claims handling and communication is a greater need today than in recent years, as some of the complexity of social inflation, cost increases to repair, supply chain, and other areas of impact have placed strain on the insured versus carrier relationship at times," he says. "I believe that this will increase back to prior levels over time, but current market conditions are putting a strain on getting to a more consistent outcome for clients and firms alike."



"A well-handled claim allows a firm to continue its operations with minimal disruption while ensuring relationships with key stakeholders are preserved throughout the claim process."

STEPHEN AGNEW
PRESIDENT OF THE BOARD OF DIRECTORS
A/E PRONET

One of the most striking findings in the PLI survey is that **half of the member firms said they turn down work** sometimes or frequently because of potential risks.

CHANGING CARRIERS

Member firms overall appear to be satisfied with their PLI carriers. A large majority (88 percent) of survey respondents said they didn't change PLI carriers during their most recent fiscal year.

But inflation has hit virtually every aspect of life, including insurance premiums, and the cost of premiums could influence decisions.

"A&E professional liability insurance rates continue to climb in response to rising claim costs driven by economic and social inflation," says Lawrence Moonan, executive vice president and COO of insurer Berkley Design Professional. "Most firms will see rate increases to the tune of 5 percent or greater."

Finding a lower premium is an important reason why firms change PLI carriers, but there are other factors.

"While a competitive premium is an important consideration, firms should also be confident that their insurance provider offers broad coverage, adequate capacity to meet contractual insurance limit requirements, and risk management tools and support," Moonan says. "It is also critical that their carrier has the claim expertise to respond and protect the firm's assets and reputation when claims happen."

Any time insurance carriers cut back limits and change terms, such as by adding higher deductibles, brokers and insureds have to look at a possible change, says Ken Estes, senior vice president and risk consultant at Cadence Insurance and president of the Professional Liability Agents Network (PLAN).

"Limits and deductibles are reasons that are definitely considered. However, we usually see changes when carriers don't respond well in claims," Estes adds. "We have seen some change over the years for lower premiums—but generally see those clients move back to a trusted carrier after a rough claim experience."



"A&E professional liability insurance rates continue to climb in response to rising claim costs driven by economic and social inflation. Most firms will see rate increases to the tune of 5 percent or greater."

**LAWRENCE MOONAN
EXECUTIVE VICE PRESIDENT AND COO
BERKLEY DESIGN PROFESSIONAL**



"We have seen some change over the years for lower premiums—but generally see those clients move back to a trusted carrier after a rough claim experience."

**KEN ESTES
SENIOR VICE PRESIDENT AND RISK CONSULTANT
CADENCE INSURANCE
PRESIDENT, PLAN**

Certain policy terms can influence firms' decision to change PLI carriers, says Roger Guilian, a senior vice president at insurance brokerage Greyling, which serves as program manager for the ACEC Business Insurance Trust. These include exclusions related to construction activities, a narrow definition of "professional services" that leaves some of a firm's offerings uninsured, and liability for firms with overseas exposures.

While the decision for a firm to change carriers is often driven by several factors, highest among these is inadequate claim handling, says Stephen Agnew, president of the board of directors of a/e ProNet, a network of independent insurance brokers specializing in PLI insurance and the risk management needs of design professionals.

"A well-handled claim allows a firm to continue its operations with minimal disruption while ensuring relationships with key stakeholders are preserved throughout the claim process," adds Agnew, a senior executive at Nexus Professional Risk. "If a carrier is unable or unwilling to provide this level of service, a reassessment should be made at renewal—or even sooner if necessary."

THE IMPORTANCE OF BROKERS

Broker recommendation is an important factor when selecting a PLI carrier. "A broker that specializes in insuring design professionals is extremely important," Estes says. "They should be looked on as trusted advisers who know the different carrier forms and how those companies respond when a claim or event happens. Also, a specialist broker knows the importance of client agreements and risk management education for firms."

An engineering firm's insurance broker "should authentically see itself—and more importantly be seen by the engineering firm—as a business partner truly interested in the success of the

engineering firm,” Guilian says. “Brokering in this space is about so much more than just assisting a buyer with its insurance needs once a year. A commitment to risk avoidance, risk mitigation, and risk management should be top of mind for a broker, and the broker should possess the depth of resources and experience to provide true value-add in that regard.”

A good broker should also provide benchmarking and coverage analysis, Guilian says. “Only a broker with a significant book of engineering firm clients has the capability of maintaining and assessing this data and having enough diversity across its book to be able to tailor it to firms of all sizes and levels of sophistication.”

Broker relationships with insurance companies and their underwriting and claims-handling professionals are among the most valuable benefits a broker can provide, Guilian adds. “These relationships are vital when negotiating renewal terms, especially after loss experience, and when claims arise.”

Specialist brokers in PLI offer distinct benefits to engineering firms, Agnew says. “They possess an in-depth understanding of the specific risks, regulations, and nuances of the A&E field, which generalist brokers may overlook,” he explains. “With a deep and narrow focus, their expertise and market knowledge allow them to leverage long-standing relationships to secure optimal coverage and competitive rates tailored to the unique needs of each firm.”

TURNING DOWN WORK

One of the most striking findings in the PLI survey is that half of the member firms said they turn down work sometimes or frequently because of potential risks.

When asked why their firms turned down or didn’t pursue work, 64 percent cited contract terms. Other key reasons included:

- High risk related to safety, project delivery type, technical sufficiency, etc. (61 percent)
- Client history (56 percent)
- Lack of qualifications or experience on the part of the client, design professional, or others (38 percent)



“While all projects include potential risk, the firm’s ability to adequately identify and manage or mitigate risk are key factors in our decision to pursue or not pursue a project.”

ERIC HUBER
SENIOR RISK MANAGER
GRESHAM SMITH



“That’s our goal: Get issues identified and resolved so we can all move on with the client relationship intact.”

TIM HAENER
CHAIRMAN AND CORPORATE RISK MANAGER
J-U-B

- Project type or delivery method (33 percent)
- Undercapitalized project (19 percent)

“While all projects include potential risk, the firm’s ability to adequately identify and manage or mitigate risk are key factors in our decision to pursue or not pursue a project,” Huber says. “Project types or services with high claims activity or other risk factors must be filtered through a firm’s risk appetite, which is often informed by prior successful projects with involvement by key senior experienced design professionals.”

Because of the amount of work available, “firms may feel that they can be more selective with the work they take on,” Messmore says. They might turn down work because of outsized risk compared with a relatively small fee, or if they don’t have the capacity or expertise to do the work or meet the schedule.

In an environment where there are a lot of opportunities to grow or maintain backlog, firms might want to critically review difficult clients that have unfavorable contract language, don’t accept engineering fees that reflect the risk of their projects, or don’t pay promptly, Messmore says.

BGC turns down work on a regular basis, most often due to its team’s capacity, North says. The firm is in the geotech niche, where demand has outstripped supply for at least 15 years. “This sometimes requires our team to anticipate client needs years in advance,” he explains. “The trend we are achieving in our contract terms with our mining and municipal clients is a more favorable risk balance.”

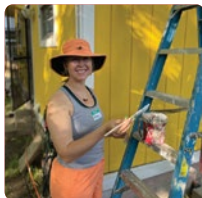
J-U-B scrutinizes new clients using a go/no-go process, Haener says. Questionable clients include those that are one-offs with no possibility for future work, those that might have questionable financial capacity, those that unreasonably question the firm’s agreements or fees, or those that bring a project outside the firm’s core expertise.

“Our goal is to form relationships with repeat clients that bring good projects with reasonable risk and reward,” Haener says. “I can’t think of any reason to take on a project where the probable risk could be catastrophic to our organization. It only takes one limit-busting claim to potentially wreck our firm and put nearly 500 employees out of work.” ■

Bob Violino is a business and technology writer based in Massapequa Park, New York.



HALFF IS ALL HEART





THE FIRM PUTS PURPOSE AT THE CENTER OF ITS VOLUNTEER EFFORTS

BY MICHELE MEYER



Employee engagement increased to **60 percent** last year, when employees donated over **\$119,000** to support **118** charities, while logging **2,327** volunteer hours at **98** events.

How many engineers does it take to build a three-story dollhouse?

Last December, it was 16.

Employees from Halff stayed past their shifts to complete the dollhouse while volunteering at Frisco Family Services, a nonprofit that helps members of the Frisco, Texas, community facing homelessness, hunger, and other urgent needs. The group also built a baby bassinet, a doll table, and chairs that were given to families in need over the holidays.

"They spent so much time to make some little girls very happy," says Randie Osgood, volunteer services manager at Frisco Family Services.

The event was just one of many corporate social responsibility efforts that Halff participates in throughout the year. The company's generosity, mission, and local focus drives its work—and benevolence—in the communities where its 31 offices in Texas, Oklahoma, Arkansas, Louisiana, and Florida are located.

"We're a purpose- and people-driven firm," says Mark Edwards, president and CEO of the employee-owned engineering firm named for its founder and continued inspiration, Dr. Albert H. Halff. (See sidebar on page 52.) "We're all in this together."

Even the business itself has a noble cause: "Everything we do benefits society," Edwards says of the multidisciplinary designs developed by the firm's 1,400 engineers, planners, architects, landscape architects, and other staff. "We take it one step further to help those less fortunate."

TAKING ACTION

In 2017, company employees formed the Halff Community Initiative (HCI) to ensure their largesse could make an impact close to home. The firm had long donated time and money, but HCI formalized those efforts.

A 501(c)(3) nonprofit, HCI enables all offices to contribute locally via volunteering and donations. Funds come from voluntary payroll deductions, with 100 percent awarded to the charities employees choose.

"We want to help where our employees are passionate," says Edwards. "They're in touch with their communities and know what's important there."

Halff prioritizes events where employees can take action, says Melanie Cleavelin, public works/transportation team leader and head of the HCI steering committee. For instance, volunteers often gather at lunch to pack meals or toiletries for the homeless. "We can pack 200 bags in 30 minutes," Cleavelin says. "It's a nice break, and you're doing something good for the community."

When possible, they distribute the meals in person. "Seeing how much someone appreciates the meal you hand them is pretty impactful," Edwards says.

Halff's causes include Meals on Wheels, Ronald McDonald House, food banks, and park cleanups. The firm also gives time and money to help the elderly, children, the homeless, and victims of abuse through such charities as Rebuilding Together Austin.

Whether because of donations or volunteering, employee engagement increased from 28 percent in 2017 to 60 percent last year, when employees donated over \$119,000 to support 118 charities. They also logged 2,327 volunteer hours at 98 events.



A COMMITMENT TO COMMUNITY

A larger-than-life Texan who wore a Stetson hat, Dr. Albert H. Halff was known for innovative solutions for flood control, public works, transportation, and other urban challenges—as well as for his generosity and caring. He founded the Halff firm in 1950 and built his company around kindness.

When a flood devastated a Dallas neighborhood, he knocked on doors to learn how the Halff firm could help. One woman said, “You can wash these dishes while I clear out stuff.” And he did, while learning how his firm could serve her family.

“He cared deeply for his employees and those in need,” says Mark Edwards, president and CEO of Halff. “But he never broadcasted his largesse. You’d find out years later.”

Dr. Halff once paid bills for an employee with cancer, and then paid for her children’s education after she died. He also saw potential in Cuban refugee Jose “Joe” Novoa and, after hiring him for survey work, paid for his civil engineering degree at Southern Methodist University.

Novoa then rose in the ranks, becoming chairman after Dr. Halff’s semi-retirement in 1986. Dr. Halff remained chairman emeritus till his death at age 97 in 2013—and, incidentally, won three swim meets the weekend before he died.

Dr. Halff inspired a spirit of generosity that continues to this day. “You’re not just a name on a list here,” says Melanie Cleavelin, public works/transportation team leader. “It’s a family. You’re cared for.”

To honor its founder, the Halff Stetson Award was created in 2021 for employees who best carry on Dr. Halff’s tradition of caring and sharing.

TAKING THAT EXTRA STEP

Adam Kane, transportation team leader and HCI committee member, volunteered with his team the week before Frisco Family Services’ Holiday Store Program, which allows those in need to choose gifts for family members. The group from Halff did the heavy lifting, helping to decorate, make toys, and set up the experience. “We’re happy being the ‘muscle’ because we know our efforts are greatly appreciated—and we’re improving lives,” Kane says.

Frisco Family Services Development Director Brian White calls Halff “an invaluable partner”—and not just due to more than \$5,000 in donations.

“For many years Halff employees have volunteered their time, talents, and skills,” White says. “They always volunteer with a large group and have the best camaraderie.”

With similar zeal, Halff’s Central Texas colleagues built a ramp for an elderly wheelchair user in Austin, and then they asked to meet her, says Jesse Porter, executive director of



“We’re a purpose- and people-driven firm. We’re all in this together.”

MARK EDWARDS
PRESIDENT AND CEO, HALFF



Halff employees build a dollhouse while volunteering at Frisco Family Services, a nonprofit that serves the local community in Frisco, Texas.

4 WAYS TO CELEBRATE AND MOTIVATE VOLUNTEERS

The Halff Community Initiative (HCI) honors its volunteers not only with awards but also with shoutouts. Here's how your firm can follow Halff's example:

1. TAKE LOTS OF PICTURES.

"We post pictures of every event for *Halff Times*, our biweekly newsletter," says Melanie Cleavelin, HCI steering committee leader and public works/transportation team leader.

2. SHARE YOUR STORIES.

Email campaigns, videos, and testimonials from those who Halff has helped are posted on the company's intranet and Instagram.

3. ACKNOWLEDGE SUCCESS.

HCI shows the impact of largesse—the results from donations and volunteer time. "We also give the numbers," says Mark Edwards, president and CEO. "We show where the money goes and the follow-up."

4. START AN ANNUAL EVENT.

The firm celebrates employees who have volunteered throughout the year during HCI Giving Week every September. During that event, Halff leadership has done everything from making pancakes to being doused in dunk tanks. "If it motivates somebody to do more, we're all in," Edwards says.



"You're not just a name on a list here. It's a family. You're cared for."

MELANIE CLEAVELIN
PUBLIC WORKS/
TRANSPORTATION TEAM LEADER
HALFF

Rebuilding Austin Together, which provides and repairs homes for the vulnerable.

Halff also took the initiative to set Porter up on a Zoom call with leaders of Engineers Without Borders so the charity could get further help.

"Other groups volunteer and move on," Porter says. "Halff kept thinking of ways they could help us more. There was no 'This is good enough.' They're not one and done. They're committed. The positive attitude, the respect, the compassion of everybody at Halff to our homeowners was endearing. They were so productive. They're also funny, upbeat, and compassionate. It was clear their hearts were in it."

"We are very proud of our purpose," Edwards says. "We believe it. It's our why." ■

Michele Meyer is a management and marketing writer based in Houston. She has written for *Forbes*, *Entrepreneur*, and the *International Association of Business Communicators*.



"Other groups volunteer and move on. Halff kept thinking of ways they could help us more. There was no 'This is good enough.'"

JESSE PORTER
EXECUTIVE DIRECTOR
REBUILDING AUSTIN TOGETHER

2023-2024 EXCOM:

EMBRACING NEW

THE INDUSTRY IS POISED FOR GROWTH AS NEW LEGISLATION AND FUNDING ARE UNLEASHING INNOVATION AND JOB CREATION

BY BETH BRAVERMAN

Recent regulations, including the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA), have paved the way for incredible opportunities—and funding—for the engineering industry.

Members of the new 2023-2024 ACEC Executive (ExCom) Committee agree that to make the most of these exciting prospects, the industry will need to continue efforts to attract new talent and inform more stakeholders about the role that engineers play in improving our world.

ACCELERATING GROWTH

Many firms have not seen the full boost from the IIJA and the IRA just yet, but the industry is braced for the flood of new work that those opportunities—worth a combined \$1.2 tril-

lion—will bring. The IIJA alone could add more than 82,000 jobs in the engineering industry.

“There’s a lot of funding there,” says **ACEC Chair Jay Wolverton**, chief growth officer and executive vice president at CHA Consulting, Inc. “But there were a lot of programs that needed to be stood up as well. It has taken the federal government a little while to get everything in place such that they can start spending that money. But everyone believes that 2024 to 2026 are going to be well-funded years for engineering.”

Vice Chair Thomas Cascino, vice president in transportation at AECOM, says that as he travels across the country, he hears about record infrastructure spending for both the public and private sector markets.

“One of the greatest opportunities for our industry is the rehabilitation, and in some cases the reconstruction, of our aging

IHOB RESHETIAK/GETTY IMAGES

OPPORTUNITIES

WHAT ADVICE DO YOU HAVE FOR MEMBERS WHO WANT TO GET INVOLVED IN ACEC LEADERSHIP?

JAY WOLVERTON, CHAIR

"Don't hesitate. The reward will be much greater than you can imagine. I have met some phenomenal people in the industry from all over the country and across many different engineering disciplines while serving at ACEC."



DR. GARY W. RABA, PE CHAIR-ELECT

"Engage and speak your mind. Everyone has an opinion, and the diversity of opinions and thoughts is what's important at a national level. Silence is not a course of action, but speaking up and sharing your ideas is definitely a way to improve the profession as a whole."



THOMAS CASCINO, VICE CHAIR

"I have and will definitely continue to recommend that interested ACEC members consider running for the Executive Committee, which is a very rewarding two-year commitment. I would also recommend they consider joining one of the coalitions or a volunteer committee in an area of specific interest to that member. Once members get engaged, they see the tremendous value ACEC brings to every member firm."



interstate highway system, including the addition of high-occupancy vehicle lanes, managed-use lanes, and choice lanes in some states," Cascino says. "Clean water project spending is also seeing record growth, as evidenced by multiple megaprojects underway across the country."

Taking advantage of those opportunities is going to require engineering firms to make investments in their people and their technology, says **Chair-Elect Dr. Gary W. Raba, PE**, chief growth officer at Raba Kistner, Inc.

"It's all about growing and getting better," he explains. "That's growing the capabilities of your people and company. Technology is changing, and it's driving faster change in our profession."

That's more important now than ever before. The median backlog of projects at ACEC member firms is now 11 months, and more than two-thirds of ACEC member firms expect to increase their backlog of projects over the next year.

"I believe that the industry is at a generational inflection point," says **Vice Chair Derek L. Clyburn**, president of ECS Southeast. "Leaders at all levels in the engineering industry have the opportunity to be recognized as complex problem-solvers due to the essential value and impact that our industry



RALPH GUIDA IV
VICE CHAIR

"The camaraderie you would receive is greater than you could imagine, as are the knowledge, resources, and education you get when sharing with colleagues."



DEREK L. CLYBURN
VICE CHAIR

"Do it! Committee involvement and serving in committee leadership will provide you a glimpse of some of the great work that is being done at the national level and help prepare you for the process of pursuing a vice chair leadership role."



DAN MECKES, VICE CHAIR

"The more you put into it, the more you get out of it. The relationships that you develop with not just people within the ACEC industry but also elected officials, decision-makers, and clients—you learn so much through that process. Some of the relationships you develop are lifelong relationships and people that you call friends."



JANICE MARSTERS
SENIOR VICE CHAIR

"Having participated in leadership in ACEC at both the state and national level for more than 25 years, I know I've gotten more out of it than I put in. From leadership development to lifelong friendships with ACEC colleagues, participation has been one of the most meaningful aspects of my career."

makes on society. The engineering industry will be the driving force to deliver the IIJA so that our infrastructure systems can be improved and ready for continued, sustainable growth."

Clyburn adds that the engineering industry will also pave the way for additional economic development projects in the renewable energy and electric vehicle spaces and the reshoring of manufacturing jobs.

Vice Chair Elizabeth Stolfus, president, Stolfus & Associates, has a similar outlook. "The engineering industry connects community values with tangible outcomes," she explains. "We are uniquely positioned to respond to the many pressures the world is experiencing by delivering lasting infrastructure that works for everyone, reduces climate effects, restores damaged and neglected places, and responds to today's needs," Stolfus continues. "In partnership with public and private sector clients, we have the opportunity to deliver safer, more effective transportation networks, buildings, energy, water systems, and so much more."

EXPANDING THE ENGINEERING TALENT PIPELINE

To make the most of the next decade, the industry will need to significantly grow its ranks, says **Vice Chair Dan Meckes**, board chair at Crawford, Murphy & Tilly. "There's plenty of work out there right now," he says. "We're all busy, but it's becoming more difficult to find people. And with inflation combined with the tight job market, you're going to have to pay higher salaries."

Senior Vice Chair Janice Marsters, government market leader at Haley Aldrich, agrees that the labor shortage represents the biggest challenge for engineering firms in today's business climate.

"Across the country, we know that engineering firms cannot find the engineers and project managers they need to serve their clients," she explains. "With the recent federal funding flowing down to states and counties, we have a great opportunity to make significant strides repairing our country's aging infrastructure. But we can't be successful without people to do the work."

ACEC is advocating for policies and programs aimed at bringing more young people into the industry and to engage and encourage more diversity in the engineering workforce, Marsters says.

In addition to boosting recruiting efforts to attract students to an engineering career, the industry must look at ways to use new technology to help address labor shortages, Meckes adds.

NAECE President Chris Klein also supports the industry's need to utilize technology. "Meeting the demands for our services and being able to take advantage of this once-in-a-generation opportunity presented by the IIJA is a great challenge," says Klein, president and CEO of ACEC Wisconsin.

"This will require us to maintain or increase the people coming into our field and then keeping them there, as well as expanding our world view to allow more opportunity for nonengineers and embracing technology, particularly AI, in

a positive manner that allows the staff that we do have to be operating at the level of their highest and best purpose and at a high level of efficiency. Is there a greater challenge than accomplishing all of this in harmony?"

Another solution, says **Chair Emeritus W. Arthur Barrett**, senior vice president at Gannett Fleming, is working toward immigration reform to allow more students who study engineering in the United States to remain here and work after graduation.

"If they come in for the education and they can't get their green cards or an H-1B visa, they end up going back to their home countries," he explains. "We lose a lot of talent that way. We need some modification to our immigration program that could provide the opportunity for us to retain some of that great talent that has been trained in this country."

EVANGELIZING THE INDUSTRY

Another key focus for ExCom members this year is making sure that industry stakeholders and the public have a better understanding of the importance of the work of engineers.

"We have to lift the stature of the engineering profession," Wolverton says. "We have for too long taken a back seat, letting others dictate how we are going to be paid by the hours that we work, instead of by the value that we bring to the project. No one is going to beat our drum or fly our flag. We have to do it ourselves."

"The addition of the ACEC Research Institute has raised our value to the next level," says Klein. "I'm excited we now have members who are anxiously waiting for the next 'big thing' coming from that arm of the organization."

Events across the country are aimed at highlighting engineering projects, including the recently launched Engineering & Public Works Roadshow, created by ACEC in partnership with the American Public Works Association and the American Society of Civil Engineers. It's a good step in the right direction when it comes to spreading awareness, says **Vice Chair Ralph Guida IV**, president of Guida Surveying.

"We need to break out of that shell, be out front, and yell from the rooftops what we do for society and how our businesses give back to our communities," he says. "We don't tout that loud enough or hard enough."

"The 2023 ExCom brings a unique variety of skills and perspectives, which will be extremely valuable for the Council as we move forward," says **ACEC President and CEO Linda Bauer Darr**.

With a focus on attracting new talent, utilizing technology, and advocating for the profession, the 2023-2024 ExCom aims to accelerate growth, address labor shortages, and elevate the stature of engineers. ■

Beth Braverman is a business writer based in New York.



ELIZABETH STOLFUS VICE CHAIR

"Join in! Your energy, ideas, background, and experience are needed."



W. ARTHUR BARRETT CHAIR EMERITUS

"Take the first steps. You get more out of ACEC than you put into it—but you have to put something in to get the reward out. Be engaged in some of the state and national committees. If you're at the state level, get engaged with clients and with other firms and build upon that."



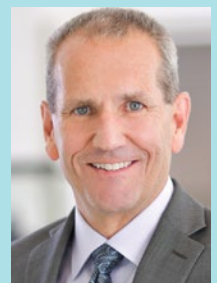
CHRIS KLEIN NAECE PRESIDENT

"There are nearly 600,000 members of ACEC. If you can't be one of the nine who serve on the Executive Committee, it doesn't mean you can't be a leader. Lead in your state. Lead on a national committee. Your commitment will make you stronger, your state stronger, and our industry stronger. Now go do it!"



DANIEL LARSON TREASURER AND VICE CHAIR

"Do it! It is an exceptionally rewarding experience that enhances your professional development, builds relationships that last a lifetime, and contributes to society in a way few professions can."





Workers' Compensation Coverage Explained

Workers' compensation is a statutory scheme in each state that establishes the liability of employers when employees are injured in the course of employment, limits recovery against such employers to payment of workers' compensation benefits (with limited exceptions), and outlines the covered losses and expenses an employee is entitled to receive when injured. For most employers in most states, the risk of a workers' compensation claim is transferred to an insurance company, which pays claims under the policy in accordance with the applicable state's statutory requirements in exchange for the employer's premiums. Workers' compensation applies based on where an employee resides and would receive benefits in the event of an injury. However, if an employee is temporarily working in another state, i.e., visiting a project site, they may be able to claim benefits in the home or temporary state, and often choose based upon the state that has the better paying benefits. Below we address when to add a state to your workers' compensation policy.

WORKERS' COMPENSATION POLICIES HAVE TWO COVERAGE PARTS:

- Part One (also called coverage A) provides workers' compensation coverage. This provides medical and indemnity (lost time) benefits for an injured employee.
- Part Two (also called coverage B) provides employers liability coverage. This covers claims from workers who have suffered a job-related injury or illness not covered by workers' compensation coverage. Part Two or B also covers damages to an employee's spouse, parent, or child as a result of the employee's injury, i.e., loss of consortium.

A common coverage feature and frequent contractual requirement in the construction industry is for workers' compensation insurers to "waive subrogation" against specified parties. When an insurer pays a loss to an insured, the insurer is subrogated to the rights of the insured. As a result, the insurer can pursue other potentially responsible persons or entities to recover the insurer's

loss payment. Most insurers will agree to waive this right pre-loss, often on a “blanket” basis where required in an insured’s contract. Because monopolistic jurisdictions (see sidebar) insure workers’ compensation losses with state funds, these states do not permit waiver of subrogation with respect to claims paid in those states. New Jersey, though not monopolistic, also does not permit waiver of subrogation. Therefore, it is important to explain when agreeing to contracts with employees performing work in these states to not agree to waiver of subrogation, or clearly tie meeting such a requirement to what is legally permitted by using a phrase like “where permitted by applicable law.”

Just like traditional workers’ compensation insurance, timing of purchasing monopolistic workers’ compensation coverage is tied to when payroll is reported to the state. In every state, schemes for unemployment insurance and workers’ compensation will eventually align, so that if one is in place, they will be looking for the other. Many states also have reciprocity with other states so that if an employee works away from their state of residence for a short period of time, you do not need to add a new state’s coverage immediately—and this also applies when someone moves. There are exceptions to this, however, such as in New York, where coverage is required immediately. You should become familiar with the workers’ compensation laws in states in which your employees frequently visit to determine if you need to add coverage to your policy on an “if any” basis, even if no permanent employee resides in the state. Greyling recommends that if an employee is in a state for longer than 30 days, either consecutively or cumulatively during a year, you should discuss adding coverage for that state.

It is important that you manage your potential workers’ compensation exposure through subcontractors you hire, which can be companies and individuals (like 1099 independent contractors). Most likely, a company will have workers’ compensation, but you still need to collect certificates evidencing coverage. If a company

MONOPOLISTIC JURISDICTIONS

In North Dakota, Ohio, Washington, and Wyoming, an employer must buy workers’ compensation from a state-sponsored insurance fund. Because of this state-created monopoly, they are referred to as monopolistic jurisdictions. In these states, workers’ compensation policies do not include coverage for employers’ liability coverage (Part Two or B). To receive employers’ liability coverage, an endorsement amending the policy can be attached to an “all other states” workers’ compensation policy, or commercial general liability policy if you do not have employees in states other than the monopolistic states.

Below are the links where you can purchase coverage for these states:

- North Dakota: <https://www.workforcesafety.com/>
- Ohio: <https://info.bwc.ohio.gov/>
- Washington: <https://www.lni.wa.gov/>
- Wyoming: <https://dws.wyo.gov/dws-division/workers-compensation/ng>

READY TO LEARN MORE?

Please contact Jeff Connelly at Greyling, the broker and program administrator for the ACEC BIT, if you would like to discuss choosing the right insurer for your firm. Email Jeff at jeff.connolly@greyling.com or call 833-223-2248.

is small, with one or two employees, a number of states do not require the company to purchase workers’ compensation as an owner can elect out of having the coverage. If a company does not have coverage, an insurer will charge you for the exposure at audit unless the company has provided written documentation stating an election to not carry and rejecting coverage offered on their behalf. Most independent contractors do not have workers’ compensation and should be given the same treatment. However, you may elect to provide them with the coverage, especially if they are acting as a supplement to your employees, and the state may even require it.

If an employee is traveling outside of the U.S., either on a business trip or an extended period, Greyling recommends securing a foreign package policy that provides casualty coverages, including commercial general liability, commercial auto (primary or excess), and workers’ compensation, along with some enhanced benefits, such as repatriation and accidental death and dismemberment (AD&D) benefits. A U.S. workers’ compensation policy can extend the extraterritorial rights of an employee’s state of hire internationally, but since the premium of a foreign package can be as low as \$1,500, we typically recommend the latter.

WORKERS’ COMPENSATION CLAIM REPORTING LAG TIME

When an employee reports an on-the-job injury, the employer’s swift response often has a dramatic impact on the outcome of the claim. From the outset, it is important to be mindful of the variance of workers’ compensation laws from state to state. For example, in some jurisdictions, even an offhand complaint of pain by an employee obligates the employer to fully investigate whether the complaint is work-related. Upon notice of a claim, the first priority should be reporting the claim to the carrier to eliminate any potential coverage problems, and so that there can be a discussion about available treatment options, investigation, and general defense strategy. From there, the employer’s investigation should commence as soon as possible, to include an interview and/or written statement from the employee claiming an injury, statements from other employees who may have been involved or witnessed the incident, and review of any video footage available. Delays in gathering this information can often result in a weaker recollection of events, which could compromise the investigation. Ultimately, the employer’s ability to minimize the impact of an on-the-job injury claim often depends on how quickly the employer takes action once the claim is reported. ■

Kent W. Collier, J.D., managing principal at Greyling

Kristen Walker, senior vice president at Greyling

Michelle Miller, J.D., principal/consultant at MCM Workplace Solutions

Scholarships of Change: Driving Diversity in Engineering for a Brighter Tomorrow

In an era of innovation where businesses thrive on a multitude of viewpoints and inclusive practices, the engineering industry is no different in the need to embrace diversity across all levels.

Recognizing the importance of developing a diverse engineering workforce, engineering firms Kimley-Horn and Stanley Consultants as well as consulting firm Morrissey Goodale have taken a significant step by partnering with the ACEC Research Institute to fund six new scholarships. These scholarships aim to promote diversity, equity, and inclusion (DEI) within the industry, specifically targeting college and university students pursuing various engineering disciplines. These firms join J.A. Watts, Inc. in offering diversity scholarships through the ACEC Research Institute.

For aspiring engineers who hail from underrepresented communities, the scholarships will help bridge the gap from hopeful student to engineering professional. The investment in education by these firms sends a powerful and encouraging message to students, inspiring them to envision a future where their presence and contributions are genuinely valued, while recognizing the need for fresh perspectives and innovative solutions to the industry's challenges.

"Kimley-Horn's DEI scholarships, facilitated through the ACEC Research Institute, play a vital role in providing opportunities for students from diverse backgrounds. Often hindered by financial barriers, talented individuals are now granted increased means to pursue their dreams and access quality education, regardless of their socioeconomic circumstances. Private sector investments like these are necessary to drive talent to STEM and win the talent war," emphasizes Steve Lefton, president and CEO of Kimley-Horn.

In today's landscape, diversity and inclusion have become essential factors for success across all fields, including engineering. The industry has long grappled with a lack of representation from marginalized communities. However, by offering scholarships through the ACEC Research Institute, these firms are actively working toward bridging this diversity gap.

"These scholarships serve as powerful tools to attract, support, and empower underrepresented college and university students pursuing engineering degrees. Through this approach, we not only promote inclusivity but also level the playing field, fostering a diverse and talented engineering workforce for the future," states Kate Harris, president and CEO of Stanley Consultants.

Mick Morrissey, managing principal of Morrissey Goodale, further adds, "A diverse engineering workforce is not only a matter of expanding opportunities but also a catalyst for innovation and problem-solving. By leveraging a variety of voices and experiences, different perspectives can be harnessed to tackle complex engineering challenges. By funding this scholarship, Morrissey Goodale is investing in a future where engineers collaborate to create groundbreaking solutions that benefit society as a whole. Embracing diversity and inclusion in engineering nurtures a culture of creativity, adaptability, and resilience."

These scholarships not only provide financial support but also act as catalysts for change. They create equal opportunities, inspire representation, enhance innovation, and fulfill corporate social responsibility. Through their actions, Kimley-Horn, Stanley Consultants, and Morrissey Goodale—which invest in diversity and inclusion scholarships with the ACEC Research Institute—represent a pivotal step forward for the industry.

In addition to the new DEI scholarships, the ACEC Research Institute, under the auspices of the College of Fellows, will award five additional merit-based scholarships to qualified college/university students majoring in engineering. Scholarship recipients will be recognized during the ACEC Fall Conference in Austin, Texas, October 15-18, 2023. ■

2023 SCHOLARSHIP WINNERS

\$13,000 College of Fellows Scholar of the Year - Michael Drummond, University of Cincinnati

\$7,500 Lee Rice LRE Water Scholarship - Kyle Van Horn, Ohio Northern University

\$5,000 ACEC Life/Health Trust Scholarship - Jayci Tshako, University of California, San Diego

\$5,000 ACEC Small Firm Coalition Scholarship - Jaclyn Bashore, University of Cincinnati

\$5,000 a/e ProNet Scholarship - Jillian Douhy, University of Nebraska-Lincoln at Omaha

DIVERSITY & INCLUSION SCHOLARSHIP WINNERS

\$12,500 Morrissey Goodale Diversity in STEM Scholarship - Grace Whisler, Kansas State University

\$12,500 Morrissey Goodale Helping Hands Scholarship - Isabella Bernard, Catholic University of America

\$5,000 J.A. Watts Diversity in Engineering Scholarship - Madison Allen, University of Tennessee - Knoxville

\$5,000 Kimley-Horn Diversity in STEM Scholarship - Angel Randall, Prairie View A&M University

\$5,000 Kimley-Horn Diversity in STEM Scholarship - Alex Chau, San Diego State University

\$5,000 Stanley Consultants, Inc. Diversity in Engineering Scholarship - Morgan Trechter, Catholic University of America

\$5,000 Stanley Consultants, Inc. Helping Hands Scholarship - Katlynn Vicuna, University of Hawai'i at Mānoa

THE ACEC RESEARCH INSTITUTE WOULD LIKE TO THANK THOSE WHO CONTRIBUTED TO THIS VITAL SCHOLARSHIP PROGRAM TO ADVANCE OUR PROFESSION AND HELP SUPPORT THE NEXT GENERATION OF ENGINEERS:

a/e ProNet	Andrew Cummings	Greg Jewell	Jeffrey L. Morgan	Kenneth W. Smith
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Constellation Design Group	Felsburg Holt	Bernard McNally	Jane Rozga	Jay Wolverton
Michael Cooper	J.A. Watts, Inc.	Vernon F. Meyers	Bruce K. Sadler	Jan Zander

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Little Clause of Horrors

BY KAREN ERGER



A musical about a plant with an insatiable thirst for human blood seemed an unlikely hit when it premiered in 1982, but by the time *Little Shop of Horrors* closed, it was the highest-grossing and third-longest running show in off-Broadway history. Revivals spring forth eternally, not only in New York City but in professional and amateur productions from coast to coast.

Like the unstoppable carnivorous Audrey II, uninsurable indemnity clauses crop up in most client-drafted contracts, despite the best efforts of lawyers, risk managers, and savvy engineers to weed out potentially pernicious language.



Karen Erger

WHAT A GOOD CLAUSE LOOKS LIKE

Before we go hunting for pestilential phrases, let's consider what a reasonable, insurable indemnity clause might look like.

Unless the contract sets a higher standard, an engineer is liable for legal damages caused by their failure to perform their services in accordance with the professional standard of care. This requires engineers to employ "the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality." (EJCDC E-500 2020, §6.01A)

An indemnity clause that doesn't increase your liability beyond what the law imposes on you anyway is likely insurable.

Here's an example (adapted from the American Institute of Architects Document B103-2017):

Engineer shall indemnify and hold the Owner and the Owner's officers and employees harmless from and against damages, losses, and judgments arising from claims by third parties, including reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are caused by the negligent acts or omissions of the Engineer, its employees, and its consultants in the performance of professional services under this Agreement. The Engineer's obligation to indemnify and hold the Owner and the Owner's officers and employees harmless does not include a duty to defend.

Here are some of the most common species of uninsurable and inappropriate "horrors" in indemnity clauses.

A FIELD GUIDE TO COMMON HORRORS

The trouble is that most indemnity clauses *do* expand your liability. For that reason, they run afoul of the "contractual liability" exclusion normally found in professional liability policies, which bars coverage for liability the insured assumes by contract if that liability would not exist in the absence of the contract.

Duty to defend the client

If you agree to indemnify "and defend" your client, you may be obligated to pay your client's lawyers and legal costs as soon as a claim touching on your design is made against your client, perhaps even if it is determined that you weren't negligent. This

won't be covered by professional liability insurance, which provides a defense only for the insured engineer. The contractual liability exclusion comes into play, too, because you would not owe your client a defense in the absence of this contractual promise. (Note that in some jurisdictions it is not sufficient to delete the word "defend"—you must state that it is not your intention to provide a defense, e.g., "indemnify but not defend.")

Some clients may say that your refusal to defend them means you are not willing to stand behind your services. But in reality, if the claim against your client arises out of your design, it is extremely likely that you will be brought into the claim. Your professional liability insurer will defend your firm and your design, and that will help defeat the claim against your client, too.

Damages caused by others

Also problematic are indemnity clauses that require the engineer to indemnify the client for damages caused by others. This can be phrased many different ways; one of the most insidious requires the engineer to indemnify for damages they cause "in whole or in part." Even if only 60 percent of the damages were caused by the engineer and the remaining 40 percent by unrelated parties, the engineer would have to pay 100 percent. Professional liability will pay damages caused by the insured engineer's negligence but not damages caused by parties the insured engineer does not control.

Damages caused by the engineer's nonnegligent conduct

Make sure your duty to indemnify is limited to damages caused by your *negligence*, rather than "any and all damages caused by the engineer." Not every "error" rises to the level of negligence, and assuming liability for nonnegligent conduct risks a professional liability coverage gap. Even more important, it's critical for your client to understand that error-free design is impossible. If your client cannot accept this fact, they are bound to be dissatisfied with your services, and headaches, unpaid bills, and claims are all predictable outcomes.

PROFESSIONAL HELP CAN HELP


As with any invasion of persistent pests, it may be advisable to call a professional for assistance—in this case, a lawyer who understands your business. Indemnity clauses are not only full of "magic words" whose meaning may not be apparent to non-lawyers but also are subject to varying interpretations under the laws of different jurisdictions. ■

Karen Erger is senior vice president and director of practice risk management at Lockton Companies. She also is a member of the ACEC Risk Management Committee and can be reached at kerger@lockton.com.








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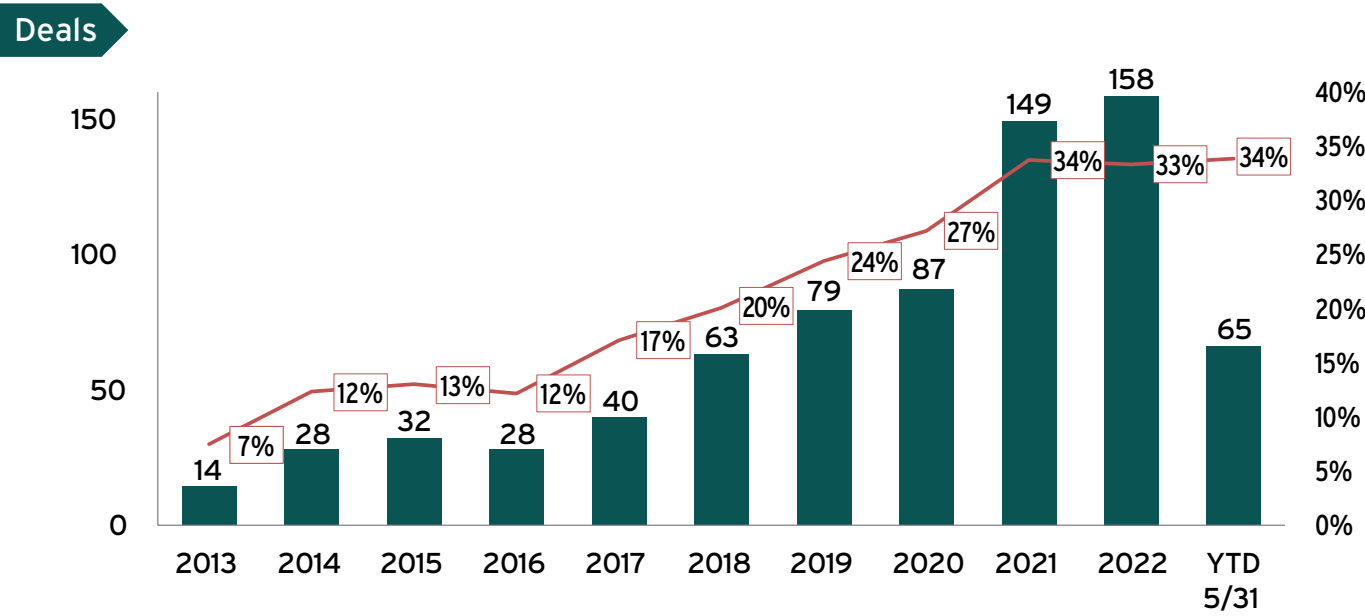


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Engineering Industry M&A Deals Remain on Robust Pace

BY NICK BELITZ

Engineering Firm Acquisitions by Private Equity



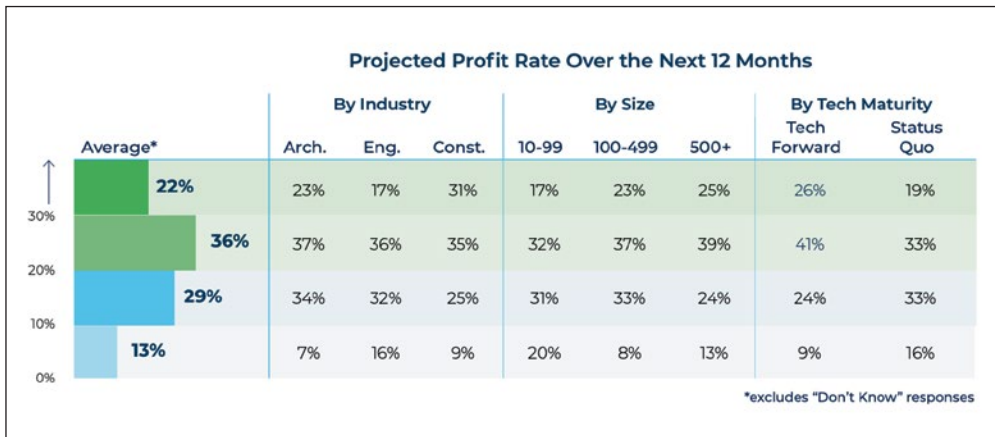
Driven by flush backlogs and robust long-term growth opportunities, A/E industry deal-making started 2023 where it left off in 2022—on a blistering pace. Bucking turbulence in financial markets, rising interest rates, and large-scale bank failures, A/E firm mergers and acquisitions in the United States through the first four months of 2023 have shown the same strong interest and level of activity that has kept the market hot for the past several years. Current data shows industry M&A activity in 2023 may even get within striking distance of the record

474 deals of U.S.-based sellers posted in 2022, which broke the record of 442 deals notched in 2021. While private equity has been the prime catalyst of the engineering industry’s “great recapitalization” over the last several years, data compiled by Morrissey Goodale shows the percentage of U.S. deals backed by private equity has plateaued as recent interest rate spikes have made borrowing more expensive. As shown in the accompanying chart, private equity and private equity-backed firms accounted for approximately 7 percent of U.S. acquisitions a decade ago, but that percentage rose to 20

The Rise of the Tech-Forward AEC Firm

BY LUCAS HAYDEN, DIRECTOR AEC STRATEGY

Results from Unanet's *AEC Inspire Report*, based on a survey of nearly 400 architecture, engineering, and construction (AEC) firms, establish a link between a firm's embrace of technology and performance. Here's what the data shows for tech-forward firms:

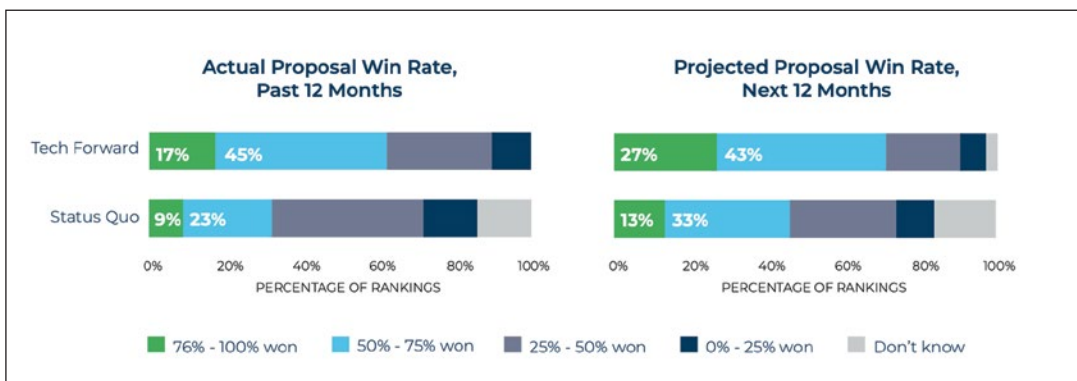
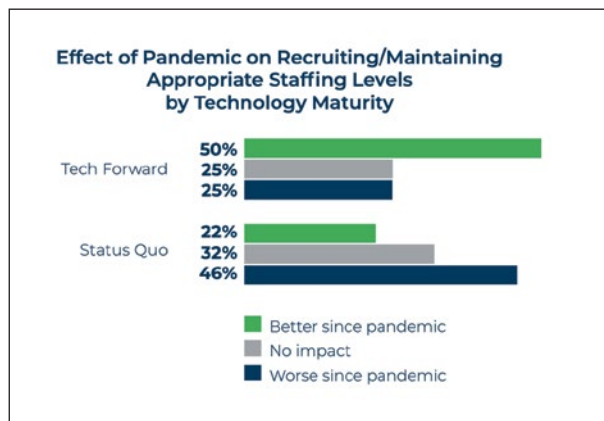


INCREASED PROFIT RATE

Two thirds of tech-forward firms project a profit rate of at least 20% in the next 12 months, compared to only half of tech-static firms.

ENHANCED RECRUITING

Half of tech-forward firms reported recruiting and staffing levels improving since the pandemic, while 46% of tech-static firms indicated they declined.



MARKET CAPTURE

Tech-forward firms win more business than their tech-static counterparts.

The answer is clear: for AEC firms, it pays to be tech-forward. For more insights into how your firm can become tech-forward and how it sets you up for success, check out the *Inspire Report* at <https://bit.ly/2022-23-Inspire-Report>.

percent in 2018 and 34 percent in 2021. In 2022, however, that percentage dipped slightly to 33 percent and is now on pace for a slight uptick to 34 percent in 2023.

Although its share of overall deal-making may be leveling, private equity remained a major player in engineering firm transactions in the opening months of 2023. Following up on its earlier acquisition of *Engineering News-Record (ENR)* 500 firm **Borton-Lawson** (Wilkes-Barre, Pa.), **Verdantas** (Dublin, Ohio), which is backed by private equity firm RTC Partners, acquired Leighton Group (Irvine, Calif.). In addition, private equity firm Palm Beach Capital formed a strategic partnership with *ENR* 500 firm **Pape-Dawson Engineers** (San Antonio, Texas), Oaktree Capital Management purchased Enercon (Kennesaw, Ga.) from private equity firm AE Industrial Partners, and an affiliate of H.I.G. Capital completed the acquisition of Tower Engineering Professionals (Raleigh, N.C.).

Another emerging trend in 2023 is a decline in acquisitions of U.S. firms by publicly traded buyers, long a cornerstone of the M&A market. Publicly traded A/E firm buyers—both foreign and domestic—at one time accounted for one-fifth to one-quarter of all industry acquisitions. That share, however, fell below 10 percent in 2022 and could shrink even further this year as publicly traded A/E firm buyers are on track to make 31 acquisitions in 2023, compared to 44 such deals in 2022, and 45 transactions in 2021.

There has been no such falloff in activity among privately held A/E firms, however. Some member firms ranked at the top of the *ENR* 500 made multiple acquisitions in the first months of 2023. **NV5** (Hollywood, Fla.) followed its January purchase of Bromley Cook Engineering (Fort Lauderdale, Fla.) with three additional acquisitions: Diversified Consulting Solutions (Denver), Axim Geospatial (Sun Prairie, Wis.), and Gaudet Associates (Jupiter, Fla.). **LJA Engineering** (Houston) expanded its presence in Florida through its acquisitions of **Carter Associates** (Vero Beach, Fla.) and R.J. Rhodes Engineering (Sarasota, Fla.). Other buyers of multiple firms included **Salas O'Brien** (Santa Ana, Calif.), **Universal Engineering Sciences** (Orlando, Fla.), and **RMA Group** (Rancho Cucamonga, Calif.).

IMEG Corp. (Rock Island, Ill.) continued its deal-making streak in 2023 with its acquisitions of **Lilker Associates** (New York City) and Cameron Engineering & Associates (Woodbury, N.Y.). That's on top of the nine transactions that the firm completed in 2022, which earned it Morrissey Goodale's Most Prolific and Proficient Acquirer Award, which was presented at the Southeast M&A, Strategy, and Innovation Symposium in Miami this March.

Atwell (Southfield, Mich.) also added to a series of recent deals with its acquisitions of **Blueline** (Kirkland, Wash.) and **DexBender** (Fort Myers, Fla.). "We continue to want to add good resources to our 1,500-person firm," Atwell President Matt Bissett told the 200 A/E industry executives and investors who attended the symposium. "The economy is not changing our opinion on doing deals." Based on the brisk level of M&A activity that continues in 2023, it's a viewpoint shared by many others in the A/E industry.

To view the most up-to-date and "live" versions of the M&A heat maps, and to see who are the buyers and sellers in each state, go to www.morrisseygoodale.com.



Nick Belitz is a principal with Morrissey Goodale LLC, a management consulting firm that specializes in the A/E industry and provides strategic business planning, merger and acquisition, valuation, ownership transition, executive coaching, and leadership development services. He can be reached at nbelitz@morrisseygoodale.com.

Following is a list of recent transactions, with ACEC members highlighted in **bold**.

MAY 2023

Barton Associates (York, Pa.), an employee-owned engineering firm that offers mechanical, electrical, plumbing, fire protection, and architectural lighting design services, acquired MEP firm **Maple Engineering** (Raleigh, N.C.).

Employee-owned engineering, procurement, consulting, and construction firm **Black & Veatch** (Overland Park, Kan.) (*ENR* #14) expanded its construction solutions with the acquisition of Bird Electric Enterprises and Bird Electric Properties, both part of BAElectric Holdings (Eastland, Texas).

Javan Engineering (Fort Washington, Pa.), an engineering firm serving the growing industrial, chemical, pharmaceutical, biotech, health care, and university markets, joined industry leader and full-service engineering consulting firm **CHA** (Albany, N.Y.) (*ENR* #69).

Applied Technical Services (Marietta, Ga.), a critical testing, inspection, certification, and compliance services firm, expanded its metrology lab offerings with the following three acquisitions: Process Instruments (Pittsburgh), Instrumentation Technical Services (West Chester, Pa.), and Accu-Chek (Corydon, Ind.).

Engineering and energy services firm **CMTA** (Louisville, Ky.) (*ENR* #165) joined forces with MEP engineering firm Genesis Engineering Group (Zionsville, Ind.).

Lilker Associates (New York City), one of New York's leading MEP and fire protection engineering design firms, joined **IMEG Corp.** (Rock Island, Ill.) (*ENR* #57).

Geotechnical, environmental, ecological, water, and construction management services firm **GZA** (Norwood, Mass.) (*ENR* #143) acquired Glorietta Geoscience (Santa Fe, N.M.), a firm specializing in groundwater development, water rights, agricultural science, litigation support, and environmental science.

Employee-owned firm **LJA Engineering** (Houston) (*ENR* #64) acquired R.J. Rhodes Engineering (Sarasota, Fla.), a professional surveying and civil engineering firm.

In its second deal of the week, **LJA Engineering** (Houston) (*ENR* #64) continued its expansion in Florida by welcoming engineering and land surveying firm **Carter Associates** (Vero Beach, Fla.) to the company.

APRIL 2023

Atwell (Southfield, Mich.) (*ENR* #74), a national consulting, engineering, and construction services firm, acquired **Dex-Bender** (Fort Myers, Fla.), an environmental and marine consulting firm.

Colliers Engineering & Design (Holmdel, N.J.) (*ENR* #52) acquired **Rogvoy Architects** (Southfield, Mich.), a full-service architectural firm focused on commercial retail design.

Civil engineering firm **Pape-Dawson Engineers** (San Antonio) (*ENR* #112) formed a strategic partnership with private equity investment firm **Palm Beach Capital** (West Palm Beach, Fla.).

Quadrant Consulting (Boise, Idaho) and **River Structures Consulting** (Boise, Idaho) joined forces to become **QRS Consulting**, a multidiscipline engineering and surveying firm with experience in natural resources engineering, bridge design and inspection, and hydropower design.

Engineering and design firm **Olsson** (Lincoln, Neb.) (*ENR* #74) acquired water resources engineering firm **Enginuity Engineering Solutions** (Littleton, Colo.).

WWC Engineering (Sheridan, Wyo.), a firm specializing in transportation engineering, municipal services, and civil/site engineering, acquired **Madison Engineering** (Bozeman, Mont.), an engineering, construction inspection, and residential air quality testing firm.

Engineering, planning, and construction management firm **Neel-Schaffer** (Jackson, Miss.) (*ENR* #197) acquired **CE Group** (Pascagoula, Miss.), a civil, structural, environmental, planning, and project management firm.

Crossey Engineering (Toronto), a firm that offers mechanical, electrical, lighting design, and commissioning services, joined facilities planning and design firm **Salas O'Brien** (Santa Ana, Calif.) (*ENR* #78).

Fast-growing engineering and consulting firm **Universal Engineering Sciences** (Orlando, Fla.) (*ENR* #42) acquired **Grubbs, Hoskyn, Barton & Wyatt** (Little Rock, Ark.), a geotechnical engineering and materials testing firm.

Employee-owned engineering, environmental, and surveying consulting firm **Haley Ward** (Bangor, Maine) acquired **Betsy Lindsay** (Stuart, Fla.), a surveying and mapping firm serving municipality, commercial, and private clients. ■

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On the Move

New York City-based **Syska Hennessy Group** announced the following executive leadership appointments: **Gary Brennen** has been named chairman, and **Cyrus Izzo** has been named president and CEO. The restructuring, long in the works, represents the expansion of the firm's leadership team. It follows the recent promotions of **Robert Ioanna** to chief technical officer, **John Passanante** to executive director of practices, **Joseph O'Sullivan** to executive director of geographical operations, and **Louis Curatolo** to chief administrative officer.

Ann Arbor, Michigan-based **SmithGroup** announced a transition within its leadership team: **Roxanne Malek** has been named as a managing partner, joining **Russ Sykes** and **Troy Thompson** to form the three-person team leading the firm. Malek succeeds **Mike Medici**, a 42-year veteran of SmithGroup, who will support several firm initiatives through November. Malek, who has been with SmithGroup for over 25 years, most

recently served as director of operations for the firm's West Coast offices.

Bryan Jones was named president of the Mid-Atlantic Division of Kansas City, Missouri-based **HNTB**. Jones will oversee complex infrastructure programs and business operations, and will lead more than 580 multidisciplinary professionals. Jones, a 17-year industry veteran, most recently served as office leader for HNTB's Gulf Coast office covering Louisiana and Mississippi. He chairs the legislative committee for ACEC of Louisiana.

Olathe, Kansas-based **Terracon** announced the following leadership appointments: **Michael O'Grady** has been named chief growth officer, **Jason Kephart** has been named chief technology officer, **Vanessa Zambo** was named chief marketing officer, **Don Dracon** recently joined the firm as senior vice president of client development, and **David Harwood** was named director of business transformation.

Stephanie M. Barrows has been promoted to interim chief administrative officer of Sparks, Maryland-based **KCI Technologies Inc.** Barrows joined KCI in 2018 as director of human resources, where she has been responsible for driving company culture; fostering diversity and inclusion; and attracting, retaining, and developing talent for the organization.

Chaly Jo Moyon has joined Portland, Maine-based **Woodard & Curran** as its first ever chief strategy officer. Moyon comes from the consumer products industry, most recently serving as Conagra Brands' chief strategy officer as well as president of the foodservice and international business units.

Rebecca Katzke has joined San Diego-based **Kleinfelder** as senior vice president and national water market manager. Katzke, who most recently served as WSP's vice president of business development and Central Gulf Coast Region water sector leader, serves on the board of directors for ACEC Central Texas.



Gary Brennen



Cyrus Izzo



Roxanne Malek



Bryan Jones



Michael O'Grady



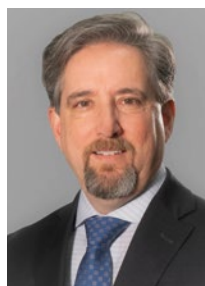
Jason Kephart



Vanessa Zambo



Don Dracon



David Harwood



Stephanie M. Barrows

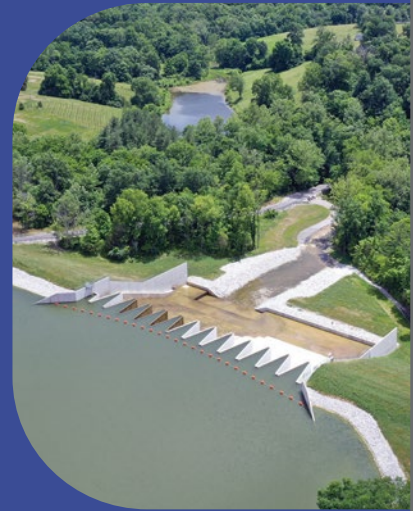


Chaly Jo Moyon



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- 1** Aligning Vision and Execution (online class)
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- 9** How to Commercialize Technology in 6 Foolproof Steps (online class)
- 14** AI for AEC: A Legal and Ethical Review (online class)

DECEMBER

- 5** Personal and Organization Ethics—Going Beyond the Canons of the Code (online class)
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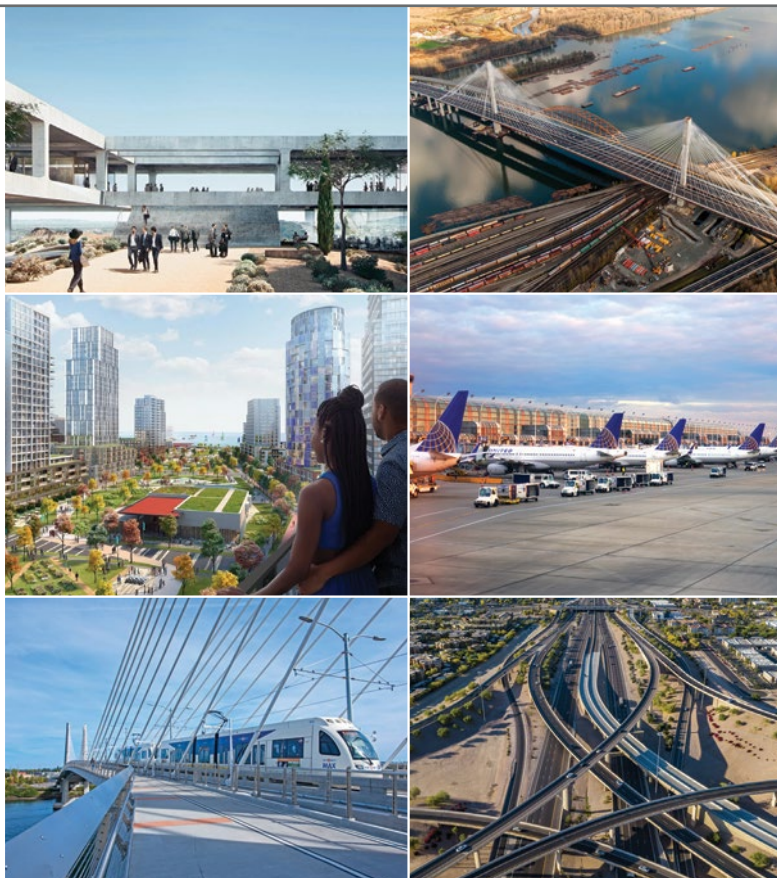
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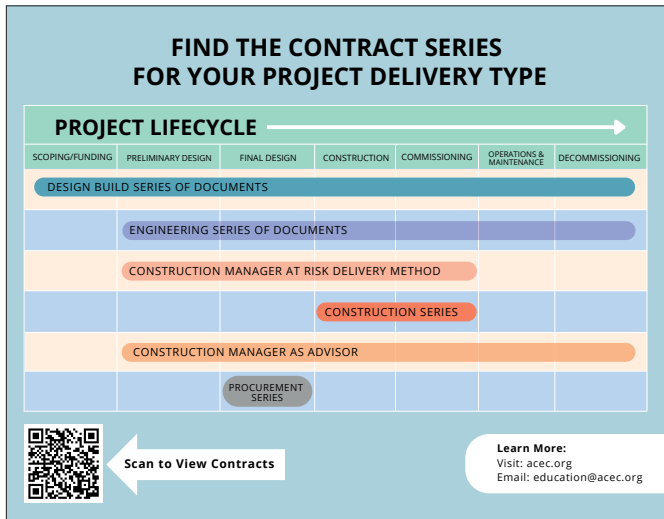


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