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Michael Brownlee
Editor

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The Ohio Valley Construction Employers Council, Inc. is a multi-employer contractors' trade association consisting of member firms primarily engaged in the construction and related industries. Organized in the 1940's as the Ohio Valley Builders Exchange, Inc., the organization grew out of a conviction among a group of astute, farsighted contractors that believed industry objectives can best be attained by team work and cooperation - by ASSOCIATION.

Restructured in 1973 as an amalgamation of various local contractor associations in the Valley, the OVCEC represents all facets of the construction industry including: The Wheeling Area Association of Plumbing, Heating and Cooling Contractors; The Wheeling/Steubenville Area Sheet Metal and Roofing Contractors' Association; The Wheeling/Steubenville Association of Painting Contractors; and The West Virginia Highway/Heavy Contractors' Association. The Construction Employers Council has developed a close liaison with the West Virginia Construction Council, the Ohio State Construction Council, and the National Construction Employers Council (NCEC). Close liaison with tri-state sister associations serves to further develop the organization's regional coverage of West Virginia, southeastern Ohio and portions of Western Pennsylvania.

The Ohio Valley Construction Employers Council, Inc. is dedicated to the advancement of the construction industry and the protection of its members and the general public.



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EXECUTIVE DIRECTOR'S REPORT



Jack Ramage

Our immediate goal here at the OVCEC is to maintain the service and tradition.

This is certainly not the way I wanted my tenure as Executive Director of the Ohio Valley Construction Employers Construction Employers Council (OVCEC) to begin. No sooner than I began to get my feet on the ground and my legs under me than we were hit with the Coronavirus COVID 19 outbreak. Never in my twenty-eight years as the Executive Director of the Master Builders Association of Western PA, Inc. (MBA) did I have to deal with such a national crisis. None of us have ever experienced anything quite like this. 9/11 comes close but nothing truly compares with the potential economic devastation this pandemic may cause.

But here we are, all in it together as they say and trying to make the best of a bad situation. I have not had a chance to meet most of you and I look forward to the opportunity to do so when this virus finally runs its course. In the meantime, the OVCEC staff is working remotely to serve you, its members, labor partners and, most importantly, our construction customers. Although we may not be physically in the office, we are still answering the phones, responding to emails and yes, working on the 2020 first quarter issue of Under Construction Magazine.

The OVCEC has a brand-new staff. While I am new to the OVCEC, I have over thirty (30) years' experience in the construction industry trade association business. But when I took over, I was starting from scratch, so my first order of business was to bring back Michelle Coss. Michelle was a bookkeeper for the OVCEC during the later years of Mr. Cerra's tenure. She brings much-needed continuity and institutional knowledge back to the organization. Many of you will remember Michelle. She has been a tremendous help to me and to the OVCEC.

To help with the communications effort, Michael Brownlee has joined the staff as the Plan Room administrator and to coordinate the OVCEC messaging on various platforms. While Michael does not have a construction background, he has many years of experience as a writer, television producer, and social media manager. Michael sends out the Daily Plan Room Updates, has resurrected the electronic OVCEC Newsletter, manages OVCEC's social media network and is the editor of the Under Construction Magazine. Welcome aboard Michelle and Michael.

Our immediate goal here at the OVCEC is to maintain the service and tradition to which the upper Ohio Valley construction industry has become accustomed. We will also continue with the initiatives started by Ginny Favade during her brief tenure here.

Hopefully, by the time you read this edition of Under Construction Magazine, the COVID 19 Coronavirus will be a thing of the past, but whether it is or it isn't, the construction industry has been, and will continue to be, the one economic bright spot during this pandemic. Ohio, West Virginia, the federal government, and numerous other states have determined that construction is an essential and critical industry to the economy. Vital infrastructure and privately funded construction projects have continued working thanks to efforts of every segment of this great industry, associations, labor leaders, government officials and our construction customers.

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BY PAT MCCUNE

LEGISLATIVE UPDATE

WEST VIRGINIA

The West Virginia Legislature quietly concluded its 2020 legislative session at midnight on Saturday, March 7, but not before passing, and sending to Governor Justice, a \$4.6 billion spending plan for FY 20-21. Unlike last year's very robust spending plan, this year's budget bill reflected the slower economic growth and stagnant revenue collections that forced lawmakers to take a more conservative and prudent approach to state spending.

Besides the fact that no state employees or teachers were awarded a pay increase for FY 20-21, this year's budget benefitted from a few one time supplemental contributions that helped to balance spending priorities: Treasurer John Perdue contributed \$20 million from his unclaimed funds account; a \$20 million actuarial reduction to the WV State Teachers Retirement Fund; and, millions less in contributions necessary to fund the state's Medicare obligations.

As we experience during every legislative session, highly prioritized policy initiatives crumble under the weight of public and political scrutiny. This year was no different. A Senate President led effort to shut down state development aid to the greyhound racing industry failed to pass out of its own body. The much touted creation of a new Intermediate Court failed again in the House of Delegates. Additionally, the highly anticipated legislative push (Senate Joint Resolution 9) to remove the ad valorem property tax on business inventory, equipment and automobiles failed to muster House support due to its potential \$300 million loss to school boards and counties.

Lawmakers did find an additional \$18 million to fund the state's foster care programs. The Department of Health and Human Resources has struggled to adequately fund the sadly burgeoning foster care costs foisted on it by the opioid crisis. So many addicted parents are losing their children to the foster care system that DHHR can't find enough folks willing to become foster parents until any fractured family order can be restored. Hopefully, the new monies will help to recruit new willing and caring foster parents.

Also passing was an effort led by House Speaker Roger Hanshaw to create a State Sovereign Investment Fund (HB 4001). The fund is patterned after some European sovereign funds that offer outside investors a place to invest capital in West Virginia that can be used to finance major economic projects and generate an acceptable rate of return for its investors. The state, should it elect, could contribute to the new fund.

Below is a list of OVCEC related bills and their legislative resolution:

SB 489 & HB 4181 - bills that attempted to move the WV Contractors Licensing Board out from under the Department of Labor and move it to Chapter 30 and Administrative Services. SB 489 failed in a 17-17 tie vote in the Senate.

SB 652 - would give the School Building Authority new rule making to audit companies as well as restrict any contractors who may have been engaged in bad faith from bidding on future school projects. The bill (that included the rule) passed and is headed to the Governor.

HB 4578 - a bill that would require all state contractors to adhere to the national E-Verify program that would ensure that all foreign workers have complied with the appropriate IRS and Homeland Security registration. The bill did not make it out of committee.

HB 2646 - a bill that provides a safe harbor position for employers to correct an underpayment or nonpayment of wages and benefits to separated employees. The bill passed and is headed to the Governor's desk.

SB 734 - a bill that gives the Department of Highways the flexibility to purchase, or use eminent domain to purchase, only the amount of property necessary for highway or road construction. In the past, DOH would be required to acquire large tracts of contiguous property that were unnecessary for construction purposes. The bill passed.

HB 4360 - would permit non commercial HVAC certification and licensure for individuals who can document a minimum of 2000 hours of work experience. The bill also awards similar certificate for military personnel who can demonstrate commensurate training and experience attained during enlisted time. The bill has passed and is awaiting gubernatorial review.

OHIO

The Ohio General Assembly, which had been on a prolonged New Year's recess, returned to Columbus in late January for limited legislative activity. The reduced meeting schedule is prompted by an early March 17 primary election date. Legislators are loathe to spend their time in Columbus deliberations while political survival is at stake.

The Coronavirus issue has delayed the restart of General Assembly duties until April 4th, if not later. When it does return, there are a few important policy issues that will fill most of its time and schedule: 1) completion of the biennial capital budget. This capital budget is separate from the operating budget. It is a funding source for large public construction projects like sports stadiums, university buildings, airports, etc.; 2) elementary and secondary school funding issues; and, 3) a controversial bill allowing sports betting at racetracks/racinos and free standing casinos.

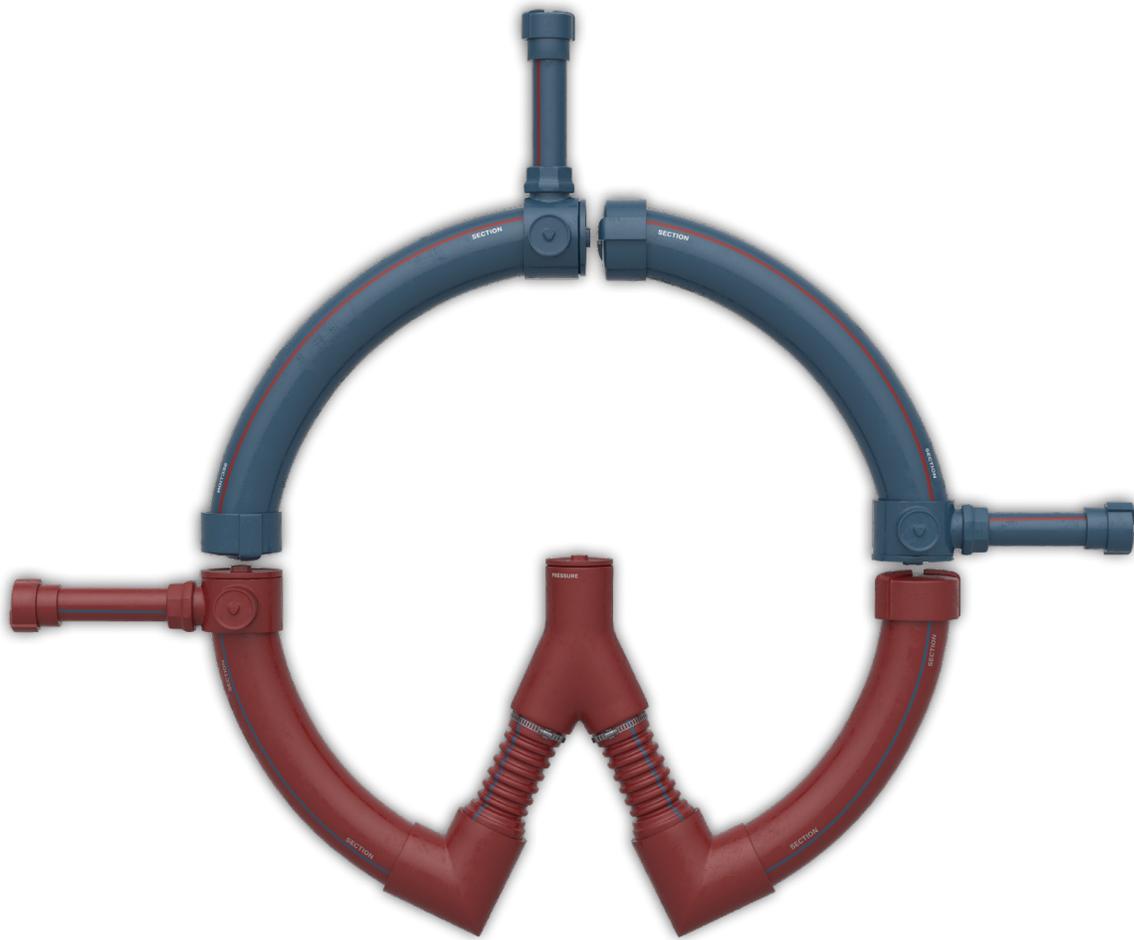
CORONAVIRUS ISSUES

At this early stage, it is difficult to predict how the coronavirus issue will affect state political leaders and their policy decisions. Ohio Governor Mike DeWine has been extremely aggressive trying to get ahead of the expected medical and hospital needs by closing schools, bars and restaurants. DeWine has also been proactive on the issue of unemployment compensation benefits. Yesterday, DeWine waived the one week waiting period required before a laid off employee can file an unemployment claim. He has also waived the requirement (for all those forced into layoff with no short term benefits) that all UC recipients must demonstrate evidence of seeking other employment opportunities.

WV Governor Justice has been proactive as well. Although the state has yet to announce the first positive patient, Justice has closed all schools as a preventive infection spreading measure. The Governor has also empowered his Department of Education Office of Nutrition to set up 55 county sites for the distribution of children's meals and nutritional needs.

Two predictable developments - as the nation and states adopt other mitigation efforts to combat the spread of the coronavirus, state revenue collections and recently adopted budgets will suffer a significant loss of revenue. Depending on the success and duration of the announced (and yet to be announced) measures, we will likely witness a drain on the state unemployment compensation reserve funds similar to the those we experienced in the great recession of 2008-09.

Both state Governors have displayed a commendable dose of transparency and commitment to exhaust all state instruments necessary to combat the invisible yet dangerous and, possibly, deadly coronavirus. We will strive to keep you posted on the extremely fluid nature of government policies regarding the coronavirus threat.



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IN MEMORIAM: KIM CARFAGNA (1949-2020)

This past February the members of the OVCEC, and the construction community at large, said goodbye to long time board member, and former President of the Board, Kim Carfagna. He passed away on February 1, at his home in Weirton, at the age of 70.

The son of the late Elio Alphonzo “Al” & Lois Jean Price Carfagna, Kim was born on July 29, 1949, in Steubenville, OH. He graduated from Weir High School in 1967 and attended Fairmont State College to further his education. A member of the construction community for 45 years, Kim began working for his father’s company, Carfagna, Inc. in 1971, and retired as the President & CEO of Jarvis, Downing & Emch in 2016.

Kim was a well-respected President of the Board at the OVCEC, and he was also served on the Board of Trustees OVCEC Health & Welfare Fund, the Board of Trustees for the Ironworkers 549-550 Healthcare & Pension Fund, and was the Co-Chair of the Labor Relations Committee where he helped work out many issues during his time there. “He was a first-class man” colleague Mary Jo Klempa remembers, “Whatever you needed you called Kim, and he was always eager to help. He was our go-to guy.” Mike Leo, current President of JD&E, worked with Kim for six years, but had crossed paths with him many times before. “He was a good leader,” said Mr. Leo, “He was very open and very knowledgeable about the work.”

Kim enjoyed sports, and he especially loved to golf. He participated in just about every golf outing we hosted during his time with the OVCEC. “Everybody liked Kim,” remembers John Culler of Beyond Marketing, “And those that didn’t always agree with him still respected him a lot. He will be missed.”

Memorial contributions can be made in his honor to the Paris Presbyterian Church in Paris, PA. (www.pariseco.net)

Nurse Triage Services Positively Impact Workers' Compensation Claims and OSHA Recordables

IMPLEMENTATION OF NURSE TRIAGE SERVICES is a risk management strategy being considered by many employers today. Generally, these services are available 24 hrs. a day, 365 days a year via telephone and make available Registered Nurses to assist injured workers and their employers in determining the best course of action after an incident. Through assessment, utilization of triage guidelines, and application of established algorithms, the trained clinicians can either recommend first-aid or direct treatment be received from employer designated medical providers. In addition, these services generate reports to employer contacts and often include follow-up communications with the injured employees.

Utilization of Nurse Triage Services often result in the following benefits to employers:

- 1. Indicates to employees that employers care about safety and health;*
- 2. Provides a quick and easy way to report workplace injuries and allow early employer intervention;*
- 3. Keeps many incidents first-aid only thus reducing Workers' Compensation claims and OSHA recordables;*
- 4. Decreases use of emergency rooms for non-emergent treatments;*
- 5. Directs employees to preferred provider networks;*
- 6. Reduces significantly both direct and indirect costs.*

Studies indicate that Nurse Triage services can positively impact employers' claims frequency by 25% while reducing direct costs by over 47%.

Paramount Preferred Solutions (PPS), a member of the Ohio Valley Construction Employers Council, has been delivering Nurse Triage Services since 2018. PPS is a third-party administrator recognized nationally for expertise in all aspects of Workers' Compensation and Disability Management solutions. If you would like to further explore their Nurse Triage Services or any of their other products or services, please contact Eric Petho at 740-695-7657 or eric.petho@promedica.org.

DID YOU KNOW – OSHA CONSIDERS THE FOLLOWING AS FIRST AID

- Over the Counter (OTC) medication at nonprescription strength*
- Cleaning, flushing or soaking surface wounds*
- Disposable wound coverings such as bandages, Band-Aids, gauze pads, butterfly bandage or Steri-Strips*
- Using hot or cold therapy*
- Using any non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc.*
- Removing foreign bodies from the eye using only irrigation or a cotton swab*
- Removing splinters or foreign materials from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means*
- Drinking fluids for relief of heat stress*



Eric Petho is Director of Business Development for Paramount Preferred Options (PPO). PPO houses Health Management Solutions and Paramount Preferred Solutions in addition to a number of additional service lines.

Paramount Preferred Solutions (PPS) is a Workers' Compensation TPA currently providing administrative support to self-insured employers in Ohio, West Virginia, and Pennsylvania as well as to state fund insured employers in Ohio. These services have been delivered since 2002 and were developed to assist employers in the implementation of efficient and effective claims management strategies. Services delivered routinely include claim reporting assistance, eligibility determination support, benefit award calculation, and benefit payment processing but are tailored to meet each employer client's specific needs. Health Management Solutions (HMS) is an Ohio Bureau of Workers' Compensation (BWC) certified Managed Care Organization (MCO) and a West Virginia Office of the Insurance Commissioner (OIC) certified Managed Health Care Plan (MHCP). HMS provides medical management and medical case management to the injured workers of self-insured employers in Ohio and West Virginia in addition to insured employers in Ohio. Utilizing registered nurses with extensive clinical backgrounds who are supported by full-time medical directors, HMS assists employers in ensuring treatment received is appropriate and timely while also facilitating a safe remain-at-work or a safe and timely return-to-work. The URAC accredited case management program has been consistently identified as a leader for both employer and injured worker satisfaction.

CRIME AND COMPLACENCY:

WITH CYBER CRIME ON THE RISE, WHY DO ORGANIZATIONS LACK A COMMITMENT TO IMPLEMENTING CYBERSECURITY BEST PRACTICES?

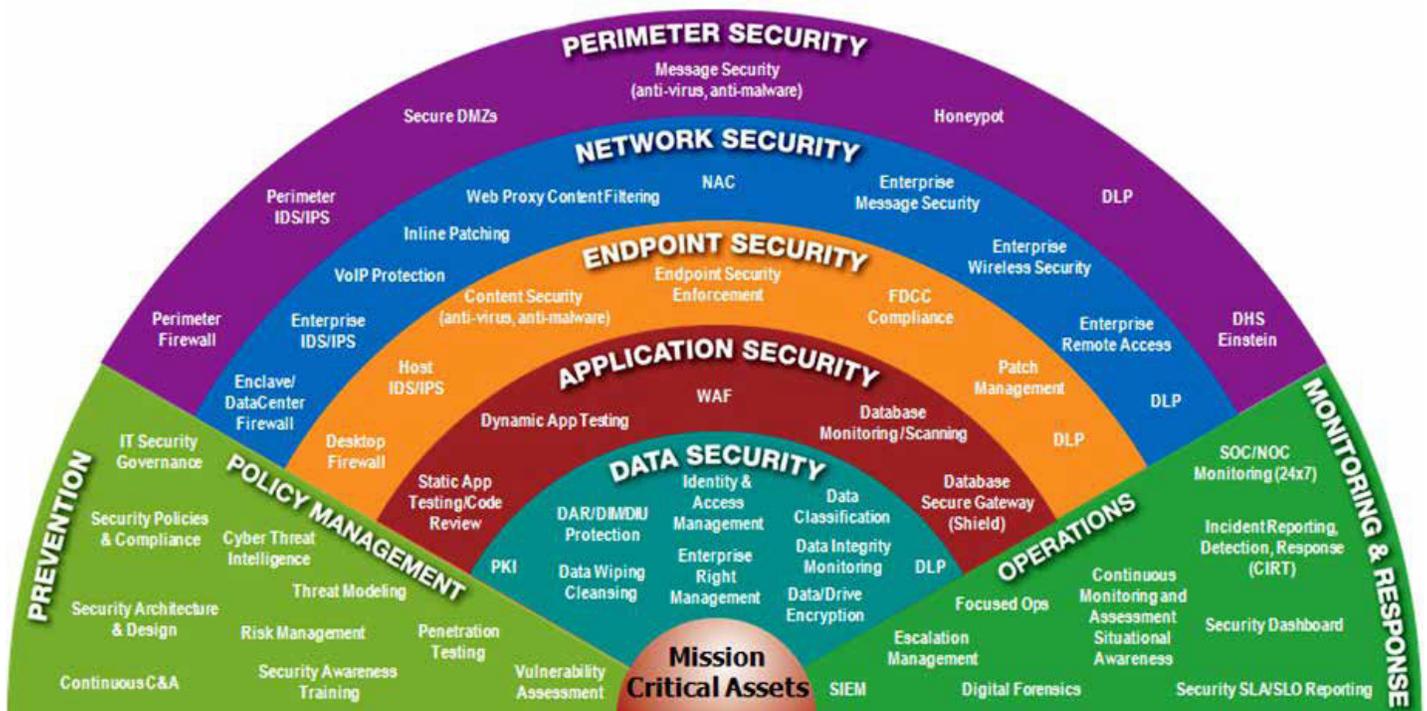
BY MATTHEW J. SCHIAVONE, CPA, CISSP, CISA

There is no one-size-fits-all cybersecurity solution. Instead, we must focus on reducing the chance that an incident will occur and the impact it will have when it does. We do this by leveraging best practices, recognized frameworks, and continual policy improvement.

Or do we? According to the 2019 Hiscox Cyber Readiness Report, the number of firms reporting cyber incidents rose from 45 percent in 2018 to 61 percent in 2019. As well, the cost of cybercrime is on an aggressive upward trajectory, up on average 61 percent in 2019. But while threats and incidents increase, complacency holds sway. The report revealed a decline in the number of firms achieving an “expert” score for their cybersecurity strategy and execution, from 11 percent in 2018 to 10 percent in 2019.¹

While companies seem disinclined to act, their markets may force them to do so. The time has come when implementing a cybersecurity program isn’t just for a business’s own protection. Regulations and contracts are demanding action as the world looks to strengthen its anti-cybercrime posture. In this digital world, we are all connected, a fact that has been demonstrated by a multitude of impactful cyber incidents.

In 2013, Target experienced one of the most infamous of breaches: more than 110 million personal and financial identities compromised; \$162 million in damages. While Target dominated the headlines, the breach came through an unprotected small business, Fazio Mechanical, a refrigeration contractor and vendor to the retailer. A phishing email tricked a Fazio employee into releasing malware into its computer system, which eventually



allowed the malicious attackers access to Target's systems. The rest, as they say, is history.²

Third-party vendor risk remains one of the most troubling cybersecurity issues. Managing vendors and their accompanying risks is critical to any cybersecurity initiative—and one of the most important reasons for your organization to adopt an effective cybersecurity program. If you aren't assessing the risk your vendors have on your business, others will be concerned about the risk you could have on theirs.

If you are a small business, the opportunity to partner with larger organizations may hinge on your ability to protect yourself from cybercriminals. In 2018, the Opus & Ponemon Institute revealed that, "59 percent of companies experienced a data breach caused by one of their vendors or other third party. In the U.S. that percentage was even higher at 61 percent."³ The Hiscox study confirmed the findings. Nearly two-thirds of respondents, 65 percent, reported experiencing one or more cyber-attacks over the previous year as a result of a weak link in their supply chain.

Over half the firms responding to the Hiscox study now include cybersecurity key performance indicators (KPIs) in their contracts with suppliers. But while 65 percent of enterprise firms do so, only 39 percent of small firms said they had adopted such policies. The trend promises to continue, with more enterprise organizations adopting these KPIs while the practice trickles into the smaller companies.

REGULATORS STEPPING UP

No business, large or small, will be excused from implementing best cybersecurity practices. And each organization will have to demonstrate compliance, to some degree, to meet various demands—be it contract or regulatory.

Consider initiatives like the Department of Defense's (DoD's) Cybersecurity Maturity Model Certification (CMMC). The recent CMMC responded to two issues. The first was the DoD's inability to trust and verify that their contractors complied with the NIST 171 framework as required by Defense Federal Acquisition Regulation Supplement (DFARS) clause 252.204-7012⁴. A second issue was contractors' reluctance to implement the framework at all, or to do so correctly.

As of August 2020, every DoD contractor will have to be certified through the CMMC program, which involves implementing the DoD's CMMC framework and obtaining a third-party audit to

certify the requirements have been met. The directive applies to all businesses, large and small, looking to do business with the DoD. Those firms will have to comply with one of five levels of maturity depending on the type of services they provide.

This is not the first DoD program of its kind. Its Federal Risk and Authorization Management Program (FEDRAMP) has similar requirements and consequences. All DoD cloud service providers must implement FEDRAMP controls and undergo annual third-party attestation.

STATES RESPONDING WITH REGULATIONS

While your business partners will be looking for comfort in your compliance with risk management best practices, you need to address your own needs in terms of internal vendor risk management.

The Hiscox study revealed that only 34 percent of companies keep a comprehensive inventory of third parties; 69 percent of respondents indicated that a lack of centralized control was challenging their ability to do so. That could also be a reason for the lack of a mature security program at your organization. Still, your organization will have to meet partnership and customer demands for data security—and new state regulations designed to force organizations to develop and communicate compliance with a cybersecurity program that aligns with best practices.

Two such noteworthy pieces of legislation are the California Consumer Privacy Act (CCPA) and the Ohio Data Protection Act (ODPA). The CCPA requires companies to uphold their "duty to implement and maintain reasonable security procedures and practices appropriate to the nature of the information to protect the personal information."⁵ You might not conduct business in California or have customers in that state, but you can expect this type of regulation to come to states where you are doing business.

The ODPA incentivizes businesses to comply with a recognized security framework in order to achieve safe harbor in the event of a breach. The Act specifies industry-recognized security frameworks for Ohio businesses to incorporate into their cybersecurity policies. It does not require adherence to some minimum cybersecurity standard, but is intended as an incentive for businesses to achieve a higher level of cybersecurity through voluntary action. If a business has a cybersecurity program that meets one of the Act's requirements, it is eligible to use that as an affirmative defense in the event of a lawsuit resulting from a data breach. Currently, the ODPA recognizes the following frameworks:

- NIST “Framework for Improving Critical Infrastructure Cybersecurity”
- NIST Special Publication 800-171
- NIST Special Publications 800-53 and 800-53a
- The “Federal Risk and Authorization Management Program” (FedRAMP) Security Assessment Framework
- The “Center for Internet Security - Controls for Effective Cyber Defense”
- ISO/IEC 27000 Family “Information Security Management System”⁶

The California and Ohio regulations make two noteworthy points: they establish the need to implement a recognized cybersecurity framework and to demonstrate reasonable compliance with that framework, compliance that can be demonstrated through independent third-party attestation or audit. Notably, each point is also inherent in a viable vendor risk management program.

Assuredly, the expanding digital world will perpetuate cybersecurity concern and risk, and stakeholders—internal as well as external—will increase their insistence on limiting risk. As well, regulators increasingly will implement laws to force the adoption of best practices and the need to demonstrate compliance with established cybersecurity frameworks.

RECOMMENDATIONS

Third-party attestation or compliance reports help create efficient and effective responses to vendors’ risk management questionnaires. Often, one audit and one report can satisfy the queries and demands of hundreds of relationships, saving you time and money when being inundated with such requests.

The AICPA’s System and Organization Control (SOC) 2 Attestation is a non-industry specific mechanism designed to provide assurances to internal and external stakeholders alike. The framework addresses an organization’s ability to achieve any combination of the five trust service principles—security, privacy, availability, confidentiality and processing integrity. At its core it is meant to demonstrate how a particular organization achieves those trust service principals and provides for an effective control environment. SOC 2 Attestation may not be applicable to all organizations or fulfill all regulatory obligations, but it is worth discussing with your trusted business advisor.

SOME STEPS YOU CAN TAKE TO PROTECT YOUR ORGANIZATION:

1. Talk to a professional and consider undergoing a risk assessment. A risk assessment will not only help identify major threats and vulnerabilities, it will help determine what cybersecurity frameworks and best practices suit your business needs. Moreover, this will provide a head start into:

STEP 2.

2. Conduct a readiness or maturity assessment. A readiness assessment typically implies an assessment of audit preparedness, whereas a maturity assessment will communicate your level of maturity against the established best practice. Regardless of which assessment you conduct, the effort will align your current practices to an established framework and help identify gaps or weaknesses in your program. Ideally it will produce a roadmap to facilitate cost-effective ongoing security improvement.
3. Remediate. Correct the errors and fill the gaps that will allow you to reasonably comply with the best practices.
4. Demonstrate your compliance. Undergo regular audits to document and communicate your efforts.
5. Commit to ongoing improvement. Best practices and regulations change. Moreover, no cybersecurity program is fully mature. A good auditor will give you recommendations on actions to take to facilitate continual improvement within your program. This is key, as complacency is not a good practice.

- 1 hiscox.com/sites/default/files/content/documents/2019-Hiscox-Cyber-Readiness-Report.pdf
- 2 pymnts.com/news/2015/target-home-depot-reveal-full-breach-costs/
- 3 businesswire.com/news/home/20181115005665/en/Opus-Ponemon-Institute-Announce-Results-2018-Third-Party
- 4 acq.osd.mil/dpap/policy/policyvault/USA002829-17-DPAP.pdf
- 5 dpwcyberblog.com/2019/07/the-biggest-risk-with-ccpa-may-be-cybersecurity-not-privacy-10-things-companies-are-doing-now-to-prepare/
- 6 Ohio Attorney General Mike DeWine’s CYBEROHIO Initiative
For additional information, contact the Attorney General’s office at AttorneyGeneral.gov or by calling 800.282.0515

Matt Schiavone is a senior manager with HBK CPAs and Consultants. He can be reached at MSchiavone@hbkcpa.com.



No business, large or small, will be excused from implementing best cybersecurity practices.

WEATHERING THE STORM



AS WE HEAD INTO THE SPRING OF 2020 we find ourselves, and the entire world, in a place we've never been before. Well, a place that those of us born after 1918 have never been before. For the first time in 100 years we are faced with an influenza pandemic that has shuttered businesses and kept many of us in our homes as we hope to lessen the effects of this coronavirus and not over-burden our health care systems. But in doing so we are likely to pay a heavy price when it comes to the local, and global, economy.

The Ohio Valley has certainly had its fair share of hard times over the years. We've seen industries come and go and have continued to get by because, while there will always be unforeseen obstacles that spring up in the path of any business, most of them can be taken in stride. But a global event that affects everything from construction supply chains to entire states shutting down is not something you usually have to worry about as a business owner.



At the time of this being published Governors in West Virginia, Ohio, & Pennsylvania have taken the unprecedented step of ordering all non-essential businesses to close and residents to stay home. Even though construction is still considered essential, at least in WV & OH, our members are definitely feeling the effects of this virus. In an area that's still recovering from the Recession of 2008, we wanted to check in with a few of our members to see how they are coping.

"There's never been anything like this," said Terry Lavorini, owner of LM Construction in St. Clairsville. While a few of his job sites have shut down completely, those that are still up and running are seeing some major drains on productivity because of new safety measures. "On a job where you can usually have two guys in a lift working on drywall, now you can only have one." On top of that, there are some workers who are afraid of contracting the virus and opting to stay home, which can add even more delays and put a greater strain on the rest of the team. "This is the new way of doing things, so we're going to have to learn to adapt to survive," said Mr. Lavorini.

The Occupational Safety & Health Administration (OSHA) has issued new guidelines for keeping workplaces safe from COVID-19 based on recommendations by the Centers for Disease Control (CDC). These measures include everything from how long to wash your hands (at least twenty seconds) and maintaining a safe "social distance" from other people (at least six feet), to the proper type of respiratory masks workers should wear and what to do if a worker reports being sick.

Across the country anxiety about the virus, and what to do not to contract it, is an extra stress that's really affecting people. Michael Gianni, President of James White Construction, says that the slowdown hasn't really affected them too much yet, but all the new rules and regulations make things a little nerve wracking. "I spend a lot more time reading emails to make sure we're doing things right," said Mr. Gianni. That means more hand-washing stations on jobsites and making sure workers are following the new procedures. "It's always in the back of your mind, you're constantly thinking about it." The worry was bad enough that the multi-bridge construction project along I-70 was voluntarily shut down for two weeks even though WV has not banned any construction.

Not all the slowdowns are due to worker productivity though. "We're starting to see delays when it comes to getting our supplies," said Mike Leo, President of JD&E in Wheeling. "I'm sure in the nearly 100-year history of JD&E they've seen some lean years, but this is rough." The disruption of the supply chain is a worrying issue for a lot of construction companies because nearly 30% of all construction supplies come out of China. Delays create a domino effect that really hurt the profitability of a project which in turn hurts the bottom line of the company. Even when they can get shipments, a lot of businesses are seeing massive markups on essential gear. Mr. Lavorini has seen a 400% increase in the price of a box of dust masks. "I paid \$15 a box a month ago, now they want \$60. It's hard to keep up." While profiteering is illegal, and many states have stated they will prosecute anyone caught price gouging, the basic nature of supply and demand is going to see the price of many products begin to rise on many of these essential items.

But not everyone is experiencing a reduction of work. Even with stores and restaurants closed, there is still a lot of activity happening in the area. "Karras Painting is as busy as ever," says President Sean Zoladz. While continuing to work on current projects, like the new Menards going in at The Highlands, they've picked up some unexpected work as well. "With all the schools being closed, we're being asked to come in while the students are out." And while it's still too soon for everyone to get back work, the President and Congress are hoping to get a massive infrastructure plan passed that would create thousands of jobs and get the shovels back in the ground before the end of the year.

Consultants with the Association of General Contractors (AGC) are also optimistic about the economy, predicting a massive increase in construction work once things start to get back to normal. But that could bring its own set of problems as all of those new projects starting at the same time look for workers in an industry that has been desperately short-handed for a while now. But that would be a welcome problem to have when you're staring at the prospect of shuttered job sites and bankrupt companies.

While it's still too early to predict when the quarantines will be lifted, we know at some point they will be, and things will begin to get back to normal. Until then we'll continue as we have done during hard times in the past; working together to help each other get through this.

But not everyone is experiencing a reduction of work. Even with stores and restaurants closed, there is still a lot of activity happening in the area.



WEST VIRGINIA CONSTRUCTION SECTOR PERFORMANCE AND OUTLOOK

After major declines in payrolls and output between early-2012 and late-2016, the onset of several natural gas pipeline projects led to a massive jump in construction sector employment between mid-2017 and late-2018. Indeed, the sector added nearly 12,000 workers (increase of nearly 40 percent) and total real wages doubled from \$1.8 billion to \$3.4 billion over this period.

The completion of two projects in late-2018/early-2019, along with the partial/complete shutdown of two others during late-2018, has caused the sector to lose more than 6,000 jobs since the third quarter of 2018.

Of course, given that these job gains were connected to natural gas pipeline projects, the heavy and civil engineering subsector accounted for essentially all the construction sector's payroll and output growth.

Residential construction payrolls have hovered around 9,200 for the last few years despite an upward trend in new home construction.

Nonresidential construction employment jumped by nearly 9 percent during 2018, driven by major projects such as the Procter & Gamble facility in Berkeley County, Hino Motors in Wood County and ongoing commercial development in North Central West Virginia.



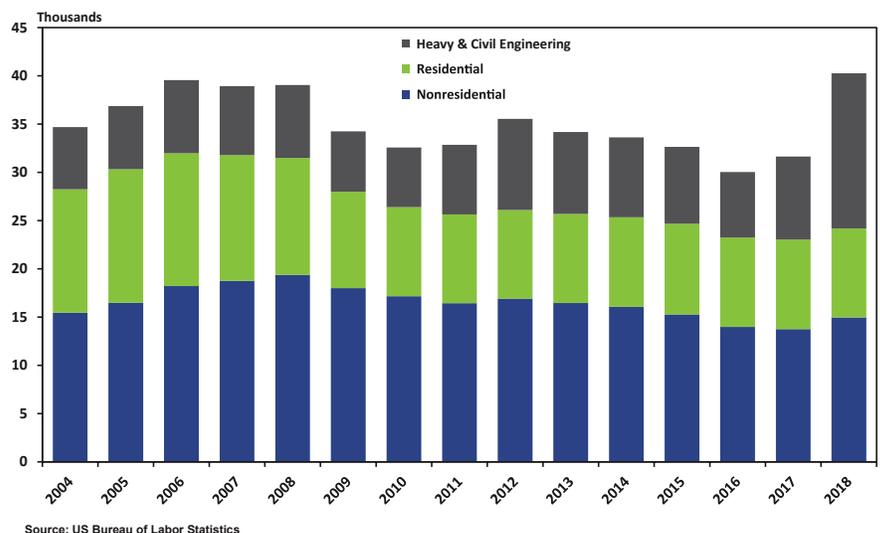
BY BRIAN LEGO
RESEARCH ASSISTANT
PROFESSOR - WEST VIRGINIA
UNIVERSITY BUREAU OF BUSINESS &
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RESIDENTIAL CONSTRUCTION

According to data from McGraw-Hill, nearly 2,300 single-family homes were started during 2018. Although this represents a 6 percent drop-off in new home construction activity from the previous calendar year, most of the weakness was felt in the second half of the year, falling roughly in line with what occurred nationally. In addition, homebuilding activity in the state has trended higher since 2011 and has recorded more consistent gains since the second half of 2014.

Preliminary data indicate the pace of single-family starts did pick up during the first half of 2019, averaging more than 2,700 new units started during the first two quarters of the year. Building permits data suggest some additional positive momentum

West Virginia Construction Employment by Type



for new home construction over the next several quarters as well, with the year-to-date total of permits authorized increasing more than 8 percent compared to the same period in 2018.

Multifamily construction activity typically represents less than one fourth of total housing starts statewide, largely due to the state’s low population density and high homeownership rate. Apartment construction peaked in 2007 and has been relatively limited outside of a few large apartment and student housing projects associated in Monongalia County.

NONBUILDING CONSTRUCTION ACTIVITY

Nonbuilding construction activity has surged in West Virginia over the past two years, but virtually all the growth can be connected to the ongoing build-out of natural gas pipeline takeaway capacity for the Appalachian Shale Basin.

Although West Virginia did record gains in pipeline capacity additions during the early-2010s, including the Texas Eastern Transmission (TETCO) expansion, West Side (Smithfield III) reversal and a couple of other projects, overall takeaway capacity remained a limiting factor for the industry as a significant portion of the Marcellus Shale play’s production volume was effectively trapped in the region. More appreciable increases in pipeline mileage within the region occurred between 2015 and 2017 following the completion of the Ohio Valley Connector, Broad Run Reversal projects, as well as other expansion and reversal projects.

Despite these notable capacity increases, the state has seen massive increases in takeaway pipeline capacity over the past year or so

with 8 Bcf/day entering service between the first quarters of 2018 and 2019.

Phase II of the Rover Pipeline was the single-largest project in terms of capacity affecting the state after finalization of the Sherwood and CGT laterals in late-2018, but the West Bound Xpress expansion and Leach XPress reversal added even more throughput capacity for natural gas. In addition, the Mountaineer Xpress project officially entered service during the first quarter of 2019.

“The forecast calls for the construction sector to see job growth average just 0.2 percent per year through the end of 2024.” - Brian Lego

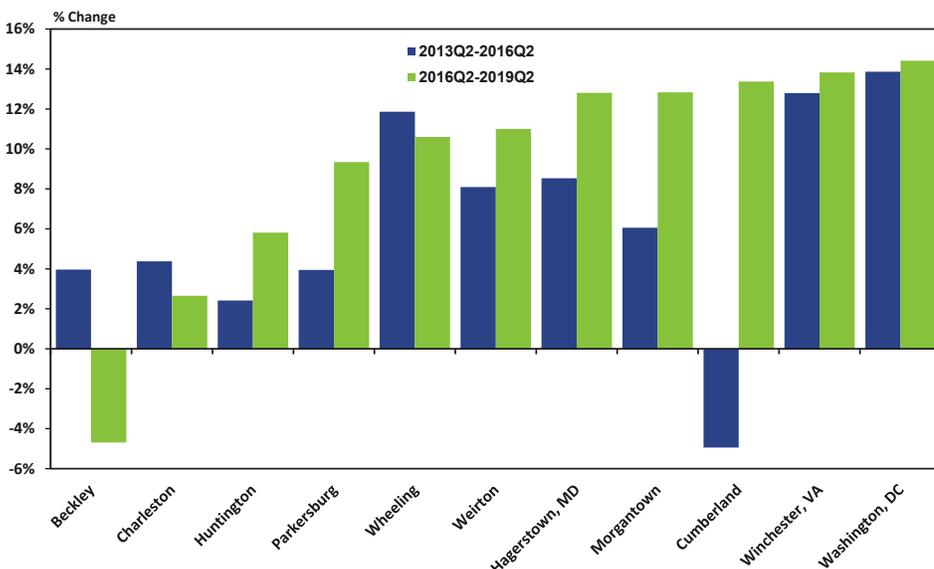
In total, natural gas pipeline capacity in West Virginia has doubled since the beginning of 2014, and with projects such as the Mountain Valley Pipeline (MVP), Hammerhead Pipeline, Atlantic Coast Pipeline (ACP), Supply Header Project, Equitrans Expansion, Eastern Panhandle Expansion, more than 6 Bcf/day could be added within the state during the next couple of years.

In addition to the installation of hundreds of miles of different diameter pipe, the projects require extensive amounts of associative tasks such as tree clearing, excavation and erosion control management. Moreover, compressor station facilities that cost \$75-\$100 million each must be built at certain points to ensure pressure is high enough to move the gas.

HOUSE PRICES

West Virginia’s housing market tends to be much less volatile over most business cycles, compared to the nation. Indeed, while the state did see house prices deflate in response to the bursting housing bubble, house price declines were more muted compared to most US states. The overall peak-to-trough decline in home prices in the state was 7 percent compared to an 18 percent decline for the US. Just as the declines were smaller, house price appreciation has also been noticeably weaker over the past several years. Prices for existing single-family homes in West Virginia have increased nearly 16 percent

Single-Family House Price Growth by Metro Area



Source: Federal Housing Finance Agency – All Transactions House Price Index

compared to a 49 percent gain for the nation since mid-2012.

Of course, changes in house prices have varied quite dramatically in recent years for the state's different regions, reflecting local supply conditions and underlying demand for homes.

After experiencing a dramatic runup in prices during the bubble years, West Virginia counties that were part of the Hagerstown (Berkeley and Morgan counties), Winchester (Hampshire County) and Washington, DC (which includes Jefferson County) metro areas saw prices plunge by as much as 36 percent.

The rate of price declines registered in the state's other counties that lie within metro areas was significantly smaller in the aftermath of the housing market, ranging from a 2 percent drop in Morgantown (Monongalia and Preston) to a 10 percent loss in Weirton-Steubenville (Brooke and Hancock counties).

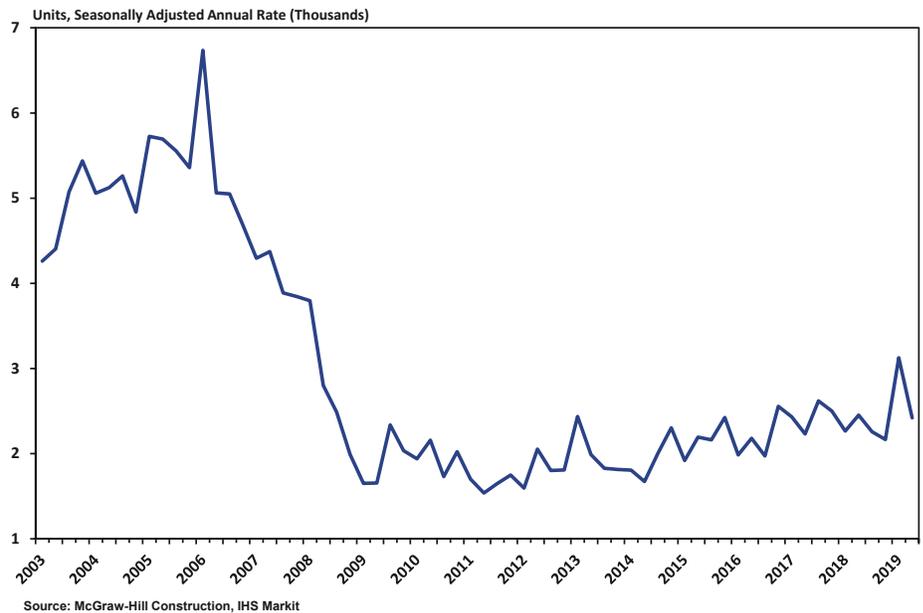
Similarly, house price appreciation for the state's major housing markets has followed different tracks over the past three years or so. According to data from the Federal Housing Finance Agency (FHFA), the Beckley metro area has been the only primary market to record outright declines in house prices over the past three years, while the Charleston, Huntington and Parkersburg metro areas posted cumulative percentage gains in the single digits since mid-2015.

In general, those counties that are adjacent to larger, more robust economies in the Northern Virginia/MD/ DC area, such as Berkeley, Jefferson and Hampshire counties, and situated in the North Central and shale gas boom regions recorded the fastest pace of growth in house prices.

SECTOR OUTLOOK

The forecast calls for the construction sector to see job growth average just 0.2 percent per year through the end of 2024. Payrolls are expected to increase at a strong pace in late-2020 through mid-2021 once the MVP, ACP, Hammerhead and other midstream natural gas infrastructure projects in the state pick back up, though this is subject to considerable risk due to the ongoing legal issues surrounding the MVP and ACP.

West Virginia Single-Family Housing Starts



The construction sector is expected to receive support over the next few years from increased public infrastructure investment. Recent weakness in severance tax collections, the disappearing windfall of revenue created by pipeline construction activity and measurable increases in baseline spending on certain areas of the state budget will hamper the state's fiscal situation over the next couple of years.

However, some of the increased baseline budget spending has been targeted at repairing highways and other infrastructure that have undergone limited maintenance and repair for an extended period. Furthermore, the addition of more than \$1 billion in road bond funds will provide support for numerous major infrastructure projects in the state over the next several years, including crucial portions of Corridor H, I-70 bridge repair in the Northern Panhandle and highway capacity in North Central West Virginia.

The extent to which infrastructure boosts overall construction activity is subject to some downside risks. Aside from the potential constraints caused by a possible broadening of global trade disputes, labor cost inflation could prove to be significant during the next few years. Specifically, the massive amounts of natural gas midstream construction already occurring in West Virginia and neighboring states, along with the Shell ethane cracker's construction and possibly the PTT Global Chemical facility, will likely bid up wages for highly-skilled construction trades occupations and further constrain the state's already-limited pool of labor for these jobs.

Continued growth in the tri-state area's natural gas industry will continue to advance and produce additional opportunities for new

commercial and industrial activity, particularly as the Shell ethane cracker moves closer to completion and prospects for the planned cracker facility in Belmont County, Ohio.

In addition, North-Central West Virginia will likely remain a key area for commercial construction developments, including projects in and around the (currently under construction) WestRidge Business Park, a new children's hospital facility at J.W. Ruby Memorial as well as new buildings and upgrades to facilities on WVU's downtown campus and athletic facilities.

The Eastern Panhandle is also expected to be a key area for construction over the longer term, as the P&G facility and will likely help to facilitate the development of the region's manufacturing and distribution supply chain. Furthermore, the Eastern Panhandle Expansion pipeline project will improve the area's attractiveness as it opens access to natural gas supplies for industrial and commercial customers. Finally, the Eastern Panhandle will also remain the state's fastest-growing area in terms of population over the next five years.

In terms of the residential construction activity statewide, the forecast calls for single-family housing starts to increase at an average annual rate of more than 2 percent for the state as whole between 2019 and 2024. These gains will be centered in the state's strongest economic regions, such as the Eastern Panhandle and North-Central WV, and this underlying demand for housing created by rising income levels and consistent in-migration of new residents will bolster house prices by a rate of more than 2 percent annually during the outlook period.

Brian Lego serves as research assistant professor at the Bureau of Business and Economic Research, a division of the West Virginia University College of Business and Economics. Lego holds a master's degree in agricultural and resource economics from WVU, and specializes in economic forecasting and applied economic research.

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MEMBERS IN THE NEWS



Another successful project was recently completed by the Design/Build team of **BREISCH & CROWLEY, LLC / BCDESIGNBUILD OF ST. CLAIRSVILLE** (heading up the design phase) and **JARVIS, DOWNING & EMCH, INC. / JD&E** of Wheeling (heading up the construction). The renovations to the Beaver Valley AutoMall and the build out construction of the adjacent Express Lane Center project in Monaca, PA is another example of this team's excellent work for one of their repeat clients. The project consists of the renovation of 4,889 s.f. of the facility for the AutoMall and the new build out of 9,346 s.f. for the Express Lane Center which is a new automobile service facility to serve the community. This project is in very close proximity to the Shell cracker plant construction site in Monaca and is an example of how nearby businesses expand as a result of the investments to the region made by a cracker plant facility. Project Design Manager Tim Crowley commented that; "Our Ohio Valley region may also see these types of neighboring businesses expand as a result of the proposed cracker plant in Dillies Bottom if in fact that project becomes a reality." The owner of the Beaver Valley AutoMall / Express Lane Center facilities, P.J. Latsko, commented that; "We couldn't be more pleased with the design and the construction of this project. This team of BCdesignbuild and JD&E continue to impress us with their professionalism and can-do attitude. Jason Costello of JD&E and Tim Crowley of BCdesignbuild have worked together to complete numerous projects for us over the past several years and always come through with exceptional results." The AutoMall has an indoor showroom to display 7 vehicles as well as offices for the sales force and the Express Lane Center has vehicle service bays for 6 vehicles. Express Lane Center Manager Brian Neff noted that; "The entire design/build process was seamless and completed both on schedule and budget. We are an FCA (Fiat Chrysler Automobiles) approved Express Lane service center and the FCA team raved about the finished project, so much so that our facility is being used as the prototype in their Business Center."



KALKREUTH ROOFING AND SHEET METAL (KRSM) is proud to be part of the new project at the UPMC Mercy Vision and Rehabilitation Tower. This project is designed to benefit the hospital, environment, and patients, aiming for a Silver LEED Certification upon completion. The roof system serves the dual purpose of efficiently managing rainfall while also acting as a rooftop center for patients and visitors.

The green-roof will be divided into two sections: one half for hospital visitors to enjoy, the other half will be used for rehabilitative therapy for patients. The roof will be divided by a living green wall, giving the space a modern feel while also providing privacy for hospital patients.

This elaborate project requires KRSM to install 4,400 square feet of PVC roofing, 25,000 square feet of pavers, and 8,100 square feet of vegetative roofing. The challenges in this project lie not just within the required precision of the installation, but in the intricate engineering that went into the roof design and the limited access due to the downtown location of the building.

“This project is a great fit for KRSM. We are proud to work with UPMC, HOK Architects, Inc., and Mascaro/Barton Malow,” said KRSM Senior Engineer, Ed Calvert. “Working through some very unique designs on a project such as this will showcase the breadth of KRSM’s capabilities and our outstanding craftsmanship.”

The roof is designed for stormwater management, reducing stormwater runoff so as not to overwhelm the storm drains of the city. Added advantages include energy conservation in the areas of heating and cooling, assist in air quality improvement, and reducing the impact of noise to areas below the roof.

Sustainability initiatives are an important facet of the work we do at Kalkreuth, and the fact that this roof will provide comfort and rehabilitative services for patients makes it that much better.



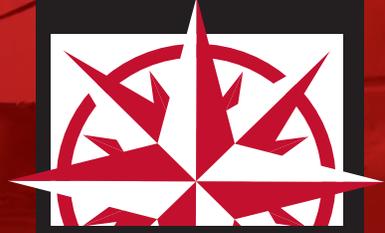
MBA Evening of Excellence

KALKREUTH ROOFING AND SHEET METAL was glad to have had the opportunity to be a sponsor for the MBA Evening of Excellence event, which brings together and recognizes individuals throughout the entirety of the construction industry. It was a great night of catching up with old friends and making new ones.

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Women in Construction

KALKREUTH ROOFING AND SHEET METAL AND EAST COAST METAL SYSTEMS celebrated National Women in Construction Week March 1 – March 7. Each day that week a different division was given a spotlight post on social media, featuring the hardworking women of each location. KRSM and ECMS are proud to feature such a great workforce!

JD&E wishes to thank our area hospitals, health care workers, first responders, essential employees and all of our building trades craftsmen in particular for their heroic efforts during these challenging pandemic times.

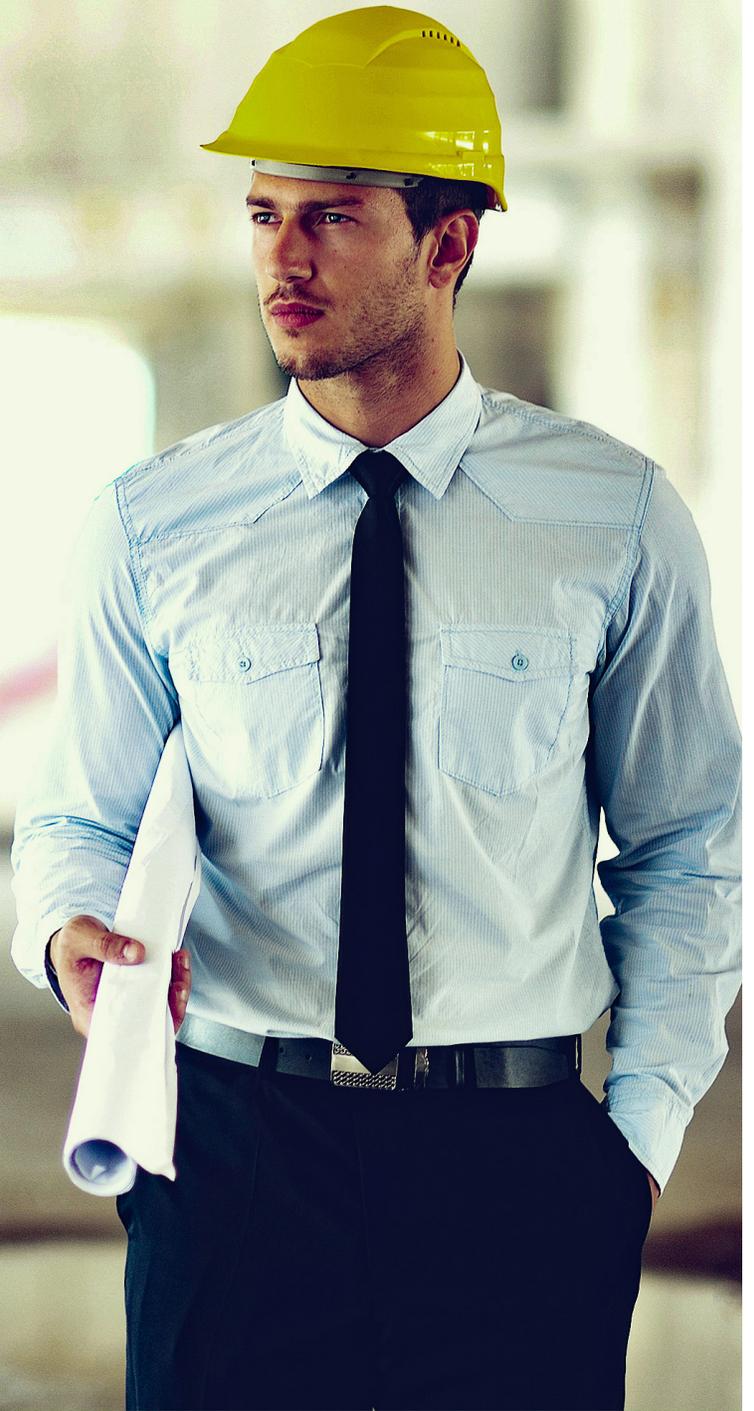


“We are in this together”

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