Arkansas Professional ENGINEER

Official Magazine of the American Council of Engineering Companies of Arkansas & the Arkansas Society of Professional Engineers









session affected businesses, and looks ahead to the

ACEC/A Member Spotlight

Bentonville firm engineering retail changes

Ozark Civil Engineering designs 80 Lowe's; helps company reduce unused parking spaces

Todd Butler, P.E., president, owner and founder of Ozark Civil Engineering in Bentonville, has done more than just witness the changes to retail stores in the past two decades. He's helped engineer them.

The firm's first big client was Lowe's Home Improvement, for whom he has done the civil engineering work for about 80 stores across the United States from North Carolina to Minnesota to New Mexico. By flying planes over store parking lots on busy Saturdays, he and Lowe's learned the company was building too many unused parking spaces. In response, current stores divided unused areas into outparcels and sold them, while new stores were built with less parking. Other retailers have been following the same trends – less parking, more green space.

Most of Ozark Civil Engineering's focus has been in shopping centers and commercial development. Major clients have included McDonald's and Tractor Supply Company. The firm has worked with large developers, including the one associated with the 180-acre Lake St. Louis shopping center in St. Louis. Its latest Arkansas shopping center is The Shoppes at Benton.

Butler has had a front row seat to see other changes to retail since he founded the firm in 1999. Stores are becoming smaller and more compact, while shopping centers are becoming destination and entertainment centers. When Butler's son was shopping for a jacket in South Korea, the store had a small room that simulated a cold, windy day.

"The only way you're going to get people back to the brick and mortar is for an experience," he said.

Butler believes the traditional shopping mall will survive – but by transforming with new and innovative ways to get shoppers into the doors.

Ozark Civil Engineering is licensed in 24 states and has a surveying division li-







OZARK CIVIL ENGINEER-ING'S projects have included The Shoppes at Benton, top, and the Silver Lake Village Shopping Center in Bartlesville, Okla., left. Above is founder Todd Butler, P.E.

censed in 14 states. Five of its eight staff members are engineers, two of them P.E.s. The firm also has a surveyor, office manager and designer.

Nebraska roots

Butler grew up in Gordon, Nebraska, a town of about 2,000, and always had an interest in math and engineering. As a child, he and his playmates built go-karts and a three-person bicycle. At the University of Nebraska at Omaha, he earned an associate's degree in construction management and then a degree in civil engineering.

His first job out of college was working for Bentonville-based CEI Engineering Associates, which led to his founding his own firm.

"I always enjoyed doing my own stuff," he said. "I liked to lead my own way. CEI was really good at letting me do that also. It's just part of growing."

Starting his own company was "pretty scary at first." Ozark Civil Engineering didn't even have computers when it began, but Butler opened the door and started making phone calls and finding clients. The relationship with Lowe's began thanks to his past work with the company and through a personal connection with a fellow Nebraskan there.

He finds working for clients like Lowe's to be meaningful.

"You're making a contribution to the community and making sure that you design it in a fashion that ... it would function for the community," he said.



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Arkansas ENGINEER Professional

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Toward zero deaths: **Enforcement**

December 8th marked the first time the 2017 Industry Update meeting was at the Arkansas Department Transportation (AR-DOT). I am happy to report that we had a larger than usual number of attendees. It is this type of participation and enthusiasm that will bring awareness to the issues we as engineers care about. A big thank-you to



Mike Burns, P.E. **ACEC/A President**

ARDOT for hosting and providing the facility for the event, and to B&F Engineering for providing lunch. This conference is just one example of what we can accomplish when we come

together with shared goals.

In my first message as ACEC/A president, I discussed Toward Zero Deaths, the program created when the Arkansas Department of Health, Arkansas State Police, and ARDOT joined to update the Strategic Highway Safety Plan.

That column addressed **education**, the first step in the four-part strategy to lessen the number of Arkansas highway fatalities. In that column, I highlighted the top two causes of highway crashes and fatalities, roadway departures and intersections, to illustrate that by educating local governments on the engineering solutions available, these numbers can be drastically reduced.

The second step is **enforcement**. To effectively implement a plan, it is crucial to employ methods capable of carrying out each step.

As engineers, we play an important role in making sure each project we undertake is held to the highest standards. It is part of our job to stay current on new techniques, technologies, and advancements in our industry, especially as they relate to public safety.

By staying up to date, we can reach out to local governments and law enforcement to find the specific areas with high numbers of roadway departure crashes. Once the areas are identified, it is possible to more accu-

rately determine the engineering methods that, if applied, will reduce annual roadway departure fatalities.

We can offer our expertise to help locate the corridors most in need of updated safety measures. This information helps local governments decide how best to fund infrastructure improvements. One of the goals of a civil engineer is for our work to go unnoticed by the public at large. When our job is done well, it means we have helped provide safe passage for travelers and precise solutions for community leaders.

I would like to end this column much like I ended the last column: The mission of the ACEC is to be the voice of the engineering industry through government advocacy, political action, and business education. By helping local governments enforce measures to protect citizens, we put a voice to the importance of our industry.

The goal for every individual, every family, and every community should be zero deaths on Arkansas roads. For more information about making that happen, visit tzdarkansas.org.

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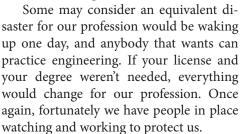
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Lions and buffalo

We all have seen disaster scenarios in movies, books, or on TV. Everything changes with the mushroom cloud, or everything electronic stops working like in the book "One Second After" when an electromagnetic pulse is set off over the U.S. Fortunately, we have people who think about these things and are in place to protect us. Our military strongly discourages potential attackers because the attackers

know the consequences of such an action.



In recent legislative sessions, bills were proposed in Arkansas that would weaken professional licensures, potentially affecting engineers. Executive Director Angie Cooper and others monitored those situations and realized what was happening. They worked to educate legislators, preventing a professional tsunami. This is just an example. Our profession and the public have been protected multiple times without many of us even knowing it was happening. In addition to activities within Arkansas, we have the NSPE watching out for us on a national level. The NSPE monitors and educates on threats such as the antioccupational license movement at a federal level.

What about other organizations?

Some may say the NSPE and ASPE could do more. Perhaps so. We should look at organizations that protect and work for other occupations to see how ours can be better. Doctors have the American Medical Association. From its website, the AMA



Paul Speers, P.E. **ASPE President**

"promotes the art and science of medicine and the betterment of public health." Lawyers have mission/vision statements too and are served by the American Bar Association, one of the largest voluntary professional organizations. Dentists belong to the American Dental Association, which states, "The vision of the ADA is to be the recognized leader on oral health with its mission to help all members succeed." The

National Society of Accountants has a couple of interesting items included in its vision. It says that "every accountant and tax practitioner will want to join" and that it will "help it members achieve success."

What great goals to strive for - to have an organization where every engineer will WANT to join and to help members achieve success.

Becoming a stronger pride

If you watch certain National Geographic channels, you quickly learn that lions take down the lone water buffalo. On the other hand, it typically takes several lions to even get that lone water buffalo. If the pride is too small to take down the big game, it becomes weaker over time. It may not be a big event that decimates the group. Instead, the pride may fail slowly as it grows weaker and weaker.

We too are less capable of acquiring what we need when we don't work together. Plus, we are more vulnerable to an onslaught when alone. We are stronger as a group. And with a bigger pride, we are even better equipped to protect our profession.

I encourage you to be creative in looking for opportunities to make others outside the current membership WANT to join us to make engineering a stronger profession.

In the News

Olsson acquiring McGoodwin, Williams & Yates

Olsson Associates, a national engineering firm, is acquiring McGoodwin Williams & Yates (MWY), Olsson announced in a press release Dec. 11.

The deal was expected to close Jan. 15. The press release said that negotiations are nearly complete.

MWY will become "MWY, a division of Olsson Associates" during a six-month transition period and then become Olsson Associates on July 1.

Established in 1956, Olsson has 1,100 employees in nearly 30 offices across the Midwest and Southwest United States. It offers comprehensive design and consulting services in site/civil, transportation, water, environmental, field operations, survey and facilities. It was ranked No. 106 on Engineering News-Record's top 500 design firms national list in 2017.

Founded in 1946, Fayetteville-based MWY specializes in municipal infrastructure design, specifically for water and wastewater projects. It has 30 employees, including 11 registered professional engineers.

"The water and wastewater industry has become one of the fastest-growing markets in the engineering profession, and MWY is well respected for their technical achievement in creating outstanding water and wastewater systems," said Brad Strittmatter, Olsson's CEO, in the release. "Their services align with the areas we're interested in growing at Ols-

son. While Olsson currently provides these services, MWY will expand our technical expertise and the communities we serve."



Hammond

president, said in the release, "What stood out to us about Olsson is that they place so much emphasis on providing solid client relationships, which is in

Brad

mond,

Ham-

MWY

parallel to how we work. By joining forces, our staff will have the opportunity to work on larger projects, and we'll be able to provide a full complement of Olsson's services to our current MWY clients."

Garver acquires Wichita-based engineering firm

Garver has acquired Ruggles & Bohm, an engineering and design services firm based in Wichita, Kansas, Garver announced Oct. 11.

Since 1992, Ruggles & Bohm has provided its clients with civil engineering, land surveying, landscape architecture, and government services, according to a Garver press release. Clients have included the Wichita Airport Authority, McConnell Air Force Base, and the Kansas cities of Andover, Bel Aire, Maize, Newton, and Wichita.

Garver, which is already working with the Wichita Dwight D. Eisenhower National Airport, now has three Kansas offices – two in Wichita and one in Overland Park – among its 24 spread across the country.

With roots in Kansas stretching back almost a quarter century, Ruggles & Bohm has provided valued results based on sound relationships, which will only be enhanced by its transition into a Garver footprint that includes nearly 500 employees in 10 states.

"The core values and vision for how we want to service clients have been almost identical between Garver and Ruggles & Bohm for decades, and neither of those will change as we continue to



Williams

grow together," said Garver President and CEO Dan Williams in the press release. "Bringing this accomplished team into the Garver family will only strengthen us both as we continue to expand our services and provide our employees with the quality benefits they deserve."

Clement to head Garver's People Services efforts



Clement

Garver in October named Tambra Clement its new People Services leader. She will head a reorganized team in charge of the employee experience at the rapidly growing company.

Clement is a multi-certified executive who has served as an independent consultant as well as a corporate leader in creating positive workplace environ-



ments. Her work over three decades has touched multiple countries. She came to Garver after most recently leading Master Action Plan Consulting, which she founded after serving 32 years in various roles at Acxiom Corporation. During her tenure, Acxiom was named to Fortune's Top 100 Best Places to Work three times.

"I've devoted my career to creating excellent workplace cultures, and I'm excited to continue doing so at Garver," Clement said in a press release. "Garver already has a great environment sparked by effective executive leadership and vision. We don't have to create anything new here, we simply have to build on what already exists."

Clement leads a department in charge of talent acquisition and development, benefits, and corporate responsibility, all of which are fundamental for a company that is expanding in both employees and markets serviced. Founded in 1919 in Little Rock, Garver has more than doubled its staff and opened 15 new offices since

2007, and now has nearly 500 employees in 24 offices in 10 states.

"We could not have chosen a more qualified and fitting person to lead this newly organized department that is so important to Garver's future," said CEO and President Dan Williams. "Garver's culture is one of the many reasons we've been able to grow so much in such a short amount of time, and Tambra will only make sure that continues."

Garver employees raise money for NWA Children's

About 60 employees in Garver's Fayetteville office raised more than one-third of what resulted in a \$30,000 donation from GarverGives, the company's corporate giving arm, to Arkansas Children's Northwest. That's a state-of-the-art pediatric care center scheduled to open in January 2018 in Springdale.



To raise the money, Garver employees made donations that came with perks, such as shoving a pie in the face of their manager, making their manager lip sync, and some agreed to shave their heads if the employees met a fundraising goal.

"It was important to us for our employees to have fun with this campaign," said Garver Project Manager Adam White, P.E., who helped organize the drive. "But the most important part was the impact this will have on the new hospital, which will impact Northwest Arkansas for generations. To be a part of that is a true blessing."

In the News is continued on next page



In the News (Cont'd)

Brown names three engineers as new principals

Melanie Richardson, P.E., LEED AP BD+C; Scott Geurin, P.E., LEED AP BD+C; and Alex Trulove, LEED AP BD+C, recently were named principals of Brown Engineers. They joined Dee Brown, P.E., ATD.; Bruce Brown, P.E.; and Nick McNeill, P.E., as principals.

"We've got to celebrate and reward this level of achievement, to honor them and to encourage continued growth and excellence," co-founder Bruce Brown, P.E., said in his announcement.



Richardson

Richardson has nearly 15 years' experience in mechanical engineering, with an emphasis in HVAC and sustainable system design. Her skill set also includes energy modeling, LEED coordination, and

BIM development. She's designed safe rooms and gymnasium and classroom improvements at more than 30 school districts across Arkansas.

She excels at working with architects, engineers and other design consultants, and her portfolio reveals a strong affinity for educational, commercial and civic design.

She received her Bachelor of Science in Mechanical Engineering from Louisiana Tech University.



Jan. 18
ACEC/A Board of Directors meeting
Northwest Arkansas

March 8

Engineering Excellence Awards
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April 5-6

ASPE Conference Hot Springs Convention Center



Geurin

Geurin's electrical engineering expertise includes educational facility MEP and communication infrastructure; power distribution, automation, and control upgrades for utility and industrial treatment

plants; LEED building design; medium voltage motor controls, protective relaying, power generation and utility synchronization; and SCADA (supervisory control and data acquisition) systems and upgrades. He received his BSEE and



Trulove

MSEE with high honors from the University of Arkansas.

Trulove, a project manager and mechanical engineer, received his BSME with highest honors from Arkansas Tech University. He

maintains that sustainable design should not only benefit the environment, but also improve performance and efficiency. He enjoys working with architects to derive maximum performance and value from HVAC design, whether new construction or remediation.

Crafton Tull's Negrete passes P.E. examination



Negrete

Crafton Tull's Anna Negrete, P.E., recently passed the exam to become a licensed professional engineer.

After graduating from the University of Arkansas in 2013, Negrete joined

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the Crafton Tull transportation engineering team as an engineer intern in the Rogers office. Negrete is a certified floodplain manager and active member of the American Society of Civil Engineers. She is also a member of this year's ACEC/A-ASPE Emerging Leaders class. She is looking forward to continuing to contribute her knowledge of roadway design as part of the Crafton Tull team.

President and CEO Matt Crafton said "We couldn't be more proud of Anna and her hard work and commitment."

MCE cuts ribbon for Fort Smith site, firm's fourth

McClelland Consulting Engineers, Inc. (MCE) hosted an open house and ribbon cutting ceremony Nov. 16 to celebrate the opening of its new Fort Smith office.



ANDY DIBBLE, P.E., holding the scissors will manage the office.

The office, which officially opened in October, marks the fourth location for MCE, joining the firm's Fayetteville, Little Rock and Tulsa locations. Andy Dibble, P.E., will run the office's operations.

"With MCE's engineering expertise, and Andy's local relationships and knowledge of the Fort Smith area, we are hoping to hit the ground running," said Chief Executive Officer Byron Hicks, P.E. "We are looking forward to our expansion into this area of Northwest Arkansas, where we will provide the highest

quality engineering services to meet the needs of the Arkansas River Valley."

The office is located at 2120 Waldron Road, Building A, Suite 5.



Walking trail built with MCE help is dedicated

A dedication ceremony was held Nov. 16 to mark the completion of the Lake Saracen Walking Trail in Pine Bluff, a project done with help from McClelland Consulting Engineers (MCE).

Continued on next page

Parks on their Preserve **Arkansas Award!**



MCE was proud to be a part of the restoration of the historic Cameron Bluff Amphitheater at Mount Magazine State Park, which was awarded the award for "Outstanding New Construction in a Historic Setting" from Preserve Arkansas.

Arkansas State Parks entrusted MCE to provide civil engineering services for the project, which was completed in July. The historic amphitheater was first contstructed in 1939 by the Civilian Conservation Corps. We are happy to see it finally restored to its former glory!

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The trail is a 6-foot-wide, ADA-accessible concrete walking surface. It provides recreational opportunities for the community, including a 308-foot fishing pier and wildlife viewing area crossing Brump's Bayou.

MCE provided design services for Pine Bluff and the Lake Saracen Committee for phases 6, 7 and 8, the final three phases. These phases of the trail begin at the southeast corner of King Street and University Drive and extend east down King Street to Brump's Bayou. Phase 1 was dedicated Oct. 15, 2009, while Phase 8, completed eight years later, completes the approximately 5-mile loop trail.

The trail was born through a collaboration among the Lake Saracen Project Association, the Arkansas Game and Fish Commission, the Arkansas Department of Transportation, the Arkansas Department of Parks and Tourism, the Southeast Arkansas Economic Development District, the city of Pine Bluff, Jefferson County, the Pine Bluff Parks and Recreation Department, the Southeast Arkansas Regional Planning Department, and the Pine Bluff Economic and Community Development Department.



ADAM OSWEILER, P.E., right, is project manager for the new school.

MCE designs Little Rock school

The Little Rock School District celebrated the groundbreaking of a new high school located in Southwest Little Rock Oct. 2 that was built with help from Mc-Clelland Consulting Engineers.

The \$101 million high school campus, located at 9715 Mabelvale Pike, will include 400,000 square feet of academic and athletic space and is slated to open in the fall of 2020. It's the district first new high school built in more than 50 years.

The school will sit on 55 acres in southwest Little Rock and will be the home to students from McClellan High School and J.A. Fair. The campus will include a 310,000-square foot academic building, a 1,200-seat auditorium with band space and a black-box theater, and a 2,250-seat basketball arena. The sports facilities are planned to include an arena-sized gymnasium, a combined football and soccer field with indoor and outdoor practice fields and field house, track and field, baseball and softball fields, and tennis.

MCE was chosen as part of the team to provide site design and landscape architecture services.

"McClelland Engineers was honored and excited to work on designing a new high school for the students of McClellan and J.A. Fair," said Project Manager Adam Osweiler, P.E. "Being able to give these students every opportunity to grow into future leaders and innovators in countless fields has made the design process that much more enjoyable. It is not every day that we are able to be involved with such a landmark project, and we are very fortunate to be able to give back to the city and community we love."

Update a success; now comes EEAs

If you weren't able to attend the ACEC/A Industry Update Dec. 8, this magazine will help fill you in. The entire back half of the issue is devoted to it.

Still, there's nothing like being there – hearing from agency leaders and experts themselves, and networking with them and with fellow ACEC/A members. The state's engineering firms are competitors, but they're also friends, allies and, quite often, business partners.

When it comes to issues affecting our industry, we're all in this together. That's why it was so helpful to hear from Scott Bennett, P.E., director of the Arkansas Department of Transportation, and Lorie Tudor, P.E., deputy director, about the effort to increase highway funding. Kenny Hall, executive vice president of the Arkansas State Chamber of Commerce, provided a business perspective on the Legislature and on the upcoming tort reform initiative, an issue that will affect engineers. Robert Coon with the govern-



Angie W. Cooper Executive Director

ment relations firm Impact Management spoke about our efforts to stop legislation that would weaken qualifications-based selection.

Speaking of QBS, this year's Engineering Excellence Awards will feature a new QBS Award given to a state government official or agency that has championed that process. If we're going to encourage government to keep the QBS standard,

then we need to acknowledge those who already understand its importance.

The EEA Dinner, which will be March 8, is probably the most important event on ACEC/A's calendar. It's the one time of year when we stop worrying about engineering's challenges and instead focus on its many successes. I encourage you and your firm to participate, and I look forward to seeing you there.

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ACEC/A Affiliate Spotlight

Firm is ACEC Life Health Trust builder

Turner Insurance offers health and life policies, builds client relationships

The ACEC Life Health Trust offers discounted insurance, more choices and great wellness programs, and Turner Insurance can show firms how to access it.

Rob Turner Jr. has been working with ACEC/A firms since he and ACEC/A Executive Director Angie Cooper met at the 2017 ACEC Summer Conference.

The trust offers discounted group health, life, dental, vision and disability insurance for more than 100,000 individuals employed by ACEC firms of all sizes nationwide. Groups can be as small as two members.

The trust offers firms health benefits beyond what they would receive through a regular carrier. They can expect to see 10-12 percent savings on their health insurance. They have access to multiple group health insurance plans. Rates are based on composite pricing, meaning all employees pay the same rates. Most other groups have age-rated pricing.

And the trust offers excellent free programs that further help firms and their engineers save money and live healthier. Firms can receive a 5 percent discount by participating in the company wide Accountable Health Improvement Plan. Individuals can also participate in a voluntary Design Wellness program, where they are eligible for cash benefits. Both offer on-site biometric screening tests for conditions such as type 2 diabetes, an expensive condition. Participants who test positive for that disease have access to online programs, Real Appeal and Naturally Slim, that can help move them out of metabolic syndrome.

The trust also offers a concierge service, Design Advocate, that provides participants with information about medical providers and answers questions about plans. Through Design TeleHealth, participants can talk to a doctor by phone.

The trust is only available to ACEC members. Policies are more affordable because engineers are typically healthier than the general population.



TRUST BUILDERS. Members of the family-run Turner Insurance firm are, from left, Darlene, Bob and Rob Turner. Bob Turner started the Jackson, Miss.-based firm about 20 years ago.

"From an actuarial standpoint, it's a wonderful risk pool," Turner said.

Other ancillary insurance products include discounted group life, dental, vision and disability insurance. Turner said the trust asks fewer medical-related questions than typical life insurance plans, and the larger the firm, the more opportunity for guaranteed life insurance, meaning no questions are asked.

Turner Insurance is a three-person family agency based in Jackson, Mississippi. It serves clients in Arkansas, Mississippi, Alabama and Louisiana.

Turner's father, Bob Turner, started the agency about 20 years ago. He had been a career agent for The New England insurance company. When it was purchased by

Met Life, he decided to become an independent agent. Turner Jr.'s mother, Darlene, is the customer service representative

Turner Jr., an architect by trade, joined the firm four years ago and reached out to the ACEC's Mississippi chapter. He is the primary contact for ACEC firms. When a firm joins the trust, he leads a "lunch and learn" at the firm's office, where he provides documents and answers questions.

"We really try to develop a relationship with them because they're busy engineering, and if they need assistance they can reach out to us electronically," he said. "We try to become an asset to them quickly when they decide to move into the trust and appoint us as their broker."





PARTNERSHIP PACT. Scott Bennett, P.E., director of the Arkansas Department of Transportation, signs a partnering agreement along with Crafton Tull's Mike Burns, P.E., president of the American Council of Engineering Companies of Arkansas, center. The agreement was signed at the ACEC/A Industry Update Dec. 8. Angie W. Cooper, ACEC/A executive director, looks on. The agreement, signed previously by both entities, states that ARDOT and the ACEC/A will engage in constructive dialogue and will support qualifications-based selection processes.

Tort reform before highways?

At the ACEC/A's annual Industry Update, ARDOT says it needs more funding, but the Chamber of Commerce says the business community is focused on tort reform for now

By Steve Brawner Editor

The Arkansas Department of Transportation is considering placing before voters a highway funding proposal, but the business community might be too preoccupied with tort reform to financially support it.

Scott Bennett, P.E., director of the Department of Transportation, and Lorie Tudor, P.E., deputy director, said at the ACEC/A's Arkansas Industry Update that spending on highways lags other state

functions, but the department has been able to function by relying on consultants rather than state employees. However, it needs more funding to meet the state's highway needs.

The annual Industry Update brings together engineers, state agency leaders, and experts and insiders. Speakers discuss the regulatory, economic and political environment. The event this year was at the Arkansas Department of Transportation's (ARDOT) headquarters.

Bennett's comments came two days after he had proposed an \$8.4 billion funding program for highways to the Arkansas Highway Commission. As reported by the Arkansas Democrat-Gazette, the program would extend the half-cent sales tax for the Connecting Arkansas Program, due to expire in 2023, by 10 years

while adding a 6.5 percent tax at the wholesale level that would be phased in over three years. Those proposals would raise about \$550 million annually, with \$385 million dedicated to the department and most of the rest split between cities and counties. Added to the \$447 million in current annual revenues, the department would have \$8.4 billion over the 10-year period.

An uphill climb for highways

However, that proposal may face an uphill climb getting on the ballot in 2018. It has too much competition from another proposal, already on the ballot, that will cap attorneys' fees and punitive and noneconomic damages.

Kenny Hall, Arkansas State Chamber of Commerce executive vice president, said the coalition of groups formed to support the effort, Arkansans for Jobs and Justice, plans to budget \$4-6 million for the effort. The coalition will be led by the Chamber along with the Arkansas Medical Society, The Poultry Federation, the Arkansas Health Care Association and the Arkansas Trucking Association. He said the trial lawyers will spend at least that much opposing the effort because they will collect money nationwide.

Because of the need to support that effort, Hall said the business community will be unable to support a highway initiative.



Hal

believe has everyone realized that trying to do something for the '18 ballot on highways is too much on top of tort reform because the business community that would be funding both

of these, really it would be hard to fund both of them," he said. "So I believe the thought process is now we'll look into the 2019 session for legislation that can be done or referrals that could be made to the '20 ballot. ... Of course, in politics, the wind changes."

The effort to cap lawsuit penalties stretches back to 2003, when the Legislature capped punitive damages and made other reforms – most of them overturned by the Arkansas Supreme Court.

This past session, Senate Joint Resolution 8 by Sen. Missy Irvin, R-Mountain View, was referred to the voters for 2018. It will cap attorneys' fees at one-third of the judgment and will cap punitive and non-economic damage awards at \$500,000 each.

Hall said the initiative was the Chamber's top success. Numerous states have placed some type of cap on jury awards. He said lawsuit reform is a competitiveness issue, because companies consider their exposure to big verdicts when choosing where to locate.

Highway funding frozen in place

Bennett and Tudor said the highway system's funding woes are the result of highways being funded primarily by frozen-in-place motor fuels taxes, while other state functions are funded by taxes tied to inflation.

Bennett said highway revenues today total about \$450 million annually, which doesn't include funding through the Connecting Arkansas Program. If those revenues had grown at the same rate as general revenues since 1980, they would total \$930 million, meaning highway revenues have grown at less than half the rate of general revenues. At the same time, since 1980, state employment levels have

doubled while the number of Department of Transportation employees has shrunk – partly thanks to the department's increased use of consultants.

"We've made the point that an investment in highways has never meant an increase in state government, and it's always meant more highway improvements," Bennett said. "And one of the ways that we've handled that over time is through that partnership with you all."

Tudor said the department plans to spend \$1.09 billion in 2018 through the Connecting Arkansas Program. Of 13 identified projects, engineering design work for six will be done in house, while four will be performed by consultants and three are still to be determined. It's still to be determined if the department will hire consultant construction inspectors and field engineers for the \$450 million scheduled for the regular federal aid program.

Tudor told attendees that a recent needs study found the department needs \$9.3 billion just to keep highways in their current state of repair over the next decade, but it only expects \$4.5 billion in revenues. The state is maintaining the nation's 12th largest highway system but is 42nd in highway revenues per mile. It only receives about 64.8 cents for every dollar in state highway funding, with most of the rest traditionally split with cities and counties. Much of the highway system is in need of repair. While 71 per-

Continued on next page

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cent of the state's interstate miles are in good condition and only 3 percent are poor, the overall highway system is only 18 percent good and 24 percent poor.

While funding has remained flat, costs

in recent years have increased. Twenty-two years ago, \$100 million could widen 33 miles. Today, it can only widen 15 miles, Tudor said. A \$10 million overlay program 22



Tudor

years ago could cover 200 miles. Today's, it's 54. And overlay programs cost \$100,000 per lane mile, while rebuilding programs cost \$1.5 million.

"You can either pay a little now, or pay a whole lot later," she said.

Clearly, a gulf exists between Arkansas' highway funding needs and its available revenues. For years, highway supporters have sought to close that gap. In 2010, the Blue Ribbon Committee on Highway Finance proposed four revenue streams, three of which have been enacted. The last, dedicating sales tax revenues from new and used vehicles for highways, hasn't gotten through the Legislature. Gov. Asa Hutchinson has opposed using those funds for highways because of their effect on the state budget. In the 2017 session, a proposal that would have coupled

a bond issue with a fuel tax failed in the House, 38-35, with 27 legislators not voting. Hutchinson later said highway supporters should pursue an initiated act.

A good session for business

Getting the tort reform measure on the ballot was one of many successes for the business community. In fact, Hall said this was the Chamber's best legislative session in its history. Of its 20 most important bills, 17 passed. Among the other important pieces of legislation was Act 734. It will reduce employers' unemployment insurance taxes by \$50 million by reducing the wage base from \$12,000 to \$10,000 per employee.

Another issue is medical marijuana. Legislation passed that will allow employers to designate certain duties as "safety sensitive," meaning medical marijuana users can be excluded. Rules were also created allowing employers to take action against impaired workers.

Hall said the Chamber's "newest number one issue" is workforce development. He said 30,000 jobs in Arkansas remain unfilled because employees aren't available. In response, the Chamber has developed "Be Pro Be Proud," a program that will highlight good jobs that require only technical training, such as diesel mechanics and welding.

"We have employers telling us if we could find them someone that could read a ruler, that would show up on time, pass a drug test, come back the second, third,

fourth, fifth day, they'd hire them," he said. "But they're not available. And we have discovered a massive hole, if you will, in our workforce training."

The Chamber for the first time this year began scoring legislators. It gave its Business Matters Leadership Award to those who voted with the Chamber 70 percent of the time on 39 key bills, did not vote to defeat any of the Chamber's priority bills, and did not file legislation opposed by the business community. Eighty-seven of the body's 135 members received the award.

Hall said the Chamber had resisted scoring legislators in the past for fear of harming its relationships with them. The Chamber avoided making negative comments about any legislators this year.

"Politics is interesting. Your friend today is your enemy tomorrow, and vice versa," he said.

Looking ahead to the 2019 session, Hall expects a stronger push from some legislators for changing the state's licensing laws. Bills were pushed in the 2015 and 2017 sessions that would greatly affect occupational licenses overall. The ACEC/A opposed those bills because of how they might affect engineering.

Hall said Arkansas requires too many licenses, and they are accompanied by unreasonable regulations. But the state needs to address those issues one a time rather than through an overly broad piece of legislation that would do away with needed licensure requirements.

Metroplan chief: Time for new vision?

Townsell says sprawl is still the reality. Meanwhile, ARDOT is moving toward alternative delivery methods

Metroplan, the agency that coordinates long-term transportation planning for central Arkansas, is reconsidering whether its vision matches regional realities, while the Arkansas Department of Transportation is considering alternative delivery methods.

Tab Townsell, Metroplan executive director, said at the Industry Update that the controversial 30 Crossing project across the Arkansas River has forced Metroplan to consider reevaluating its long-range transportation plan, Imagine Central Arkansas.

"What we're seeing now is that vision has got a distinct separation from the reality of what's on the ground here in the metropolitan region," Townsell said. "And we either need to find the intermediary steps to show our various jurisdictions how to get there, or we need to revamp our vision, because we have not done that."

The 30 Crossing project has been controversial. Some have sought the most efficient way of moving vehicles across the river, while others have favored ap-

proaches they say foster slower speeds and a greater sense of community.

Townsell said Metroplan's efforts to build a more transit-oriented, walkable transportation structure hasn't changed central Arkansas' tendency toward sprawl. If that tendency continues, more pavement will have to be built.

"If you don't want to build lanes on your freeway system, you don't solve the problem by constricting it at its destination," he said. "You solve the problem by fixing it at its place of origin."

Metroplan is also updating its transportation model for traffic. The agency has hired a consultant to do a managed



METROPLAN EXECUTIVE DIRECTOR Tab Townsell discusses his agency's current and potential future plans. Townsell said Metroplan's vision does not match the realities of what communities served by Metroplan are doing. Either Metroplan needs to help those communities adopt its vision, or it needs to change its vision, he said.

lane study and is continuing to study an additional east-west route from Lonoke County through Pulaski to Faulkner County. The route is "not necessarily politically welcome in all local jurisdictions," he said, leaving its future uncertain.

Townsell said Metroplan doesn't have additional funding for projects until probably 2019 or the beginning of 2020. However, there are opportunities for consultants to work with Metroplan and with its jurisdictions to move toward a future vision. He said the region is just now becoming a metropolitan region.

More design-build projects on the way

The 30 Crossing was the Department of Transportation's first design-build project, but more could be coming, said Ben Browning, P.E., the department's alternative project delivery director. Browning said the department has short-listed three proposals for its next project. Currently, there are no other additional design-build projects, but one could be identified in the near future. He said the department is not only developing its first project but also developing its first procurement process.

"And so once we get this first procurement done, we'll have a solid set of procurement documents, and we really can start being more proactive in identifying future projects to be delivered with this method," he said.

The department is developing a screening process that will enable it to identify future design-build projects.

ARDOT is also working on incorporating a construction manager/general contractor method. Act 809 of 2017 created a five-year pilot program allowing three projects not to exceed a combined \$200 million.

"Really, what we're looking at is to be a qualifications-based selection of a construction contractor who's going to provide pre-construction services to us," Browning said. "And some of

those pre-construction services would be to come in during early on in our design phase and really help us with constructibility reviews, and really help us introduce innovation into some of our highway projects. At the same time, we're going to be asking them at different milestones throughout the design to give us opinions of probable construction costs."

At the end of the project, the construction manager will have the opportunity to serve



Browning

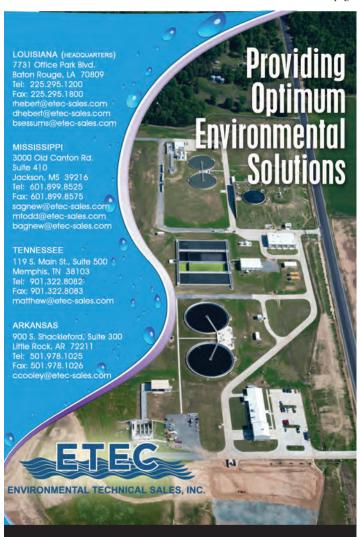
as the general contractor and submit a bid on the project.

Accompanying that method will be the use of an independent cost estimator, procured separately from the construction

dent cost estimator, procured separately from the construction manager, who will deliver estimates to validate the construction manager. It's almost like getting a second bid, Browning said.

The department is evaluating proposals for both a construction manager/general contractor and the independent cost estimator for a project off Highway 10 from I-430 to the west.

Continued on next page



Selection is anticipated for both in February 2018.

Meanwhile, work is continuing on other highway projects. Lorie Tudor, P.E., ARDOT deputy director, said 222 miles and \$668 million of the Interstate Rehabilitation Program have been completed.

Another 81 miles and \$523 million are under construction, while 21 miles totaling \$44 million are scheduled for 2018. Another 170 miles and \$290 million worth of projects are scheduled for 2019-23. In the \$1.8 billion Connecting Arkansas program, 27 miles worth \$188 million

have been completed. Another 49 miles worth \$403 million are under construction. The big year will be 2018, when 80 miles and over \$1 billion of work will be done. After 2018, the department will finish the program with 29 miles and \$245 million of construction.

ACEC/A consultant: Protect QBS

Impact Management's Robert Coon is lobbying to ensure procurement overhaul doesn't endanger public safety

ACEC/A is working to ensure the engineering profession doesn't get caught up in a legislative overhaul of the state's procurement processes.

Robert Coon with ACEC/A's political consulting firm Impact Management said at this year's ACEC/A Arkansas Industry Update Dec. 8 that his firm is meeting with California-based Ikaso Consulting.

Ikaso Consulting was hired by the Arkansas Legislative Council's Legislative Review Subcommittee to analyze Arkansas' procurement process and compare it to other states. It is specifically looking at professional services.

The Legislative Review Subcommittee will report its findings by December 2018 before the 2019 legislative session. Coon said procurement changes are coming, potentially regarding bidding rules or protest protocols.

The study grew from Senate Bill 521 by Sen. Jimmy Hickey, R-Texarkana, in the 2017 legislative session. The bill would have engineered complete overhaul of the



Coon

state's procurement process, which Coon said many legislators believe is broken and doesn't give enough consideration to price. The ACEC/A and other design professional groups opposed the bill, saying it was overly broad and would endanger qualifications-based selection processes that ensure professionalism and protect the public

Hickey's bill passed the Senate but died in the House and instead was recommended for interim study during the two years between legislative sessions.

Coon said he would be meeting with Ikaso Consulting to explain how the state's current procurement system is in the public's best interest as it relates to engineering. Qualifications-based selection enhances public safety and is a best practice widely used across the country. He said there's a misconception that cost is not considered when the state awards a contract. After the most qualified candidate is selected, the fee is then negotiated, and if an agreement can't be reached the state can start the process of finding another qualified firm willing to work cheaper.

"I think that the consultant probably has a well-rooted understanding of why we do it the way we do, but it's obviously our job to communicate to them from you all, from the engineers or from architects what you experienced and the benefits to the public of why we do it that way," Coon said.

State building division moving online

Digital submission process to largely replace current CDs, state architect tells Update

The Division of Building Authority soon will use a digital submission process in addition to its current CD process, said Nathan Alderson, AIA, the state architect.

The division contracts with private entities on construction of state facilities. Alderson said it is developing an online site where all plans and specifications will be uploaded. He said the agency hopes to roll it out by the middle of next year.

In his address to the Arkansas Industry Update Dec. 8, Alderson said common

submission mistakes include missing information such as a final cost estimate or a governor's approval for projects costing more than \$2 million.

In 2017, the division reviewed 213 projects with estimated total construction costs of \$404 million, including 45 public schools and 63 military projects. The \$404 million was more than \$100 million more than the 2016 totals.

"We review a lot of projects, and so if you all ever submit to us, and you go, 'Hey, where's our project?' please be patient with us. We see a lot of them," he said.

State law prohibits bidding professional services for design professionals.

Instead, state agencies must use a request for qualifications process for all engineering projects with at least \$25,000 in construction costs.

Agencies can engage in several types



Alderson

of design professional services contracts, Alderson said. On-call contracts are allowed for multiple small projects not exceeding \$1 million in construction costs. These contracts are for one year and renewable for up to seven years. Projectspecific contracts are required for projects exceeding \$1 million.

Processes also differ based on the size of the contract. Formal selection processes are not required for projects with design professional fees under \$20,000. For those, single source contracts are allowed. For projects with design fees of \$20,000 to \$75,000, agencies must invite bids from three or more qualified providers but are not required to obtain pre-approval from the division. Formal solicitation processes are required when the design fee is at least \$75,000.

Alderson said requests for proposals on larger projects will describe exactly what consulting firms need to submit.

"Submit exactly what it says," he said. "If you submit any more than that, you'll get kicked out. If you submit any less than that, you'll get kicked out. It has to be exactly that."

After 3-5 design professionals are selected to interview, they will do oral presentations lasting an hour or more with

questions and answers. The representatives will average their scores, and the one with the best score wins the project. Then the contracts are negotiated and then reviewed by the DBA and the Legislative Review Subcommittee.

"That process takes anywhere from five to eight months. I wish I could tell you it's a 30-day process, but I can't. The Legislative Review (Subcommittee) only meets once a month, so if you miss that, it's another month that you have to wait. It's just the way it is," he said. "Sorry. Welcome to government."

Keogh: Feds, state more cooperative

ADEQ director says relationship improving under Trump; says private sector, technology key to environmental sustainability

State environmental agencies are now more of a partner and not a "pawn" in their relationship with the federal Environmental Protection Agency, Arkansas Department of Environmental Quality Director Becky Keogh said at the ACEC/A Industry Update.

Keogh, who has directed the agency since 2015, said the federal-state relationship during the Obama administration was characterized by coercion, not cooperation, and that the at-odds relationship was counterproductive.

ADEQ in contrast is working well with the Trump administration, she said. States are taking ownership of their programs. A state plan on regional haze will replace what she said was an overreaching federal plan enacted two years ago. She said the White House is committed to both the growth of infrastructure funding and speeding the permitting process into a 180-day turnaround.

Keogh said the federal-state relationship is moving closer to "Cooperative Federalism 2.0," an idea pushed by the Environmental Council of the States, which is the association of state environmental agency leaders.

She said a greater focus must be placed on what the private sector can do to benefit the environment.

"You have people that are just spending a lot of focus on sustainability and



creating energy efficiencies and environmental solutions that we can't create through a regulatory framework," Keogh said. "So we want to figure out how to tap into that. So that's where we are today. We're working (to determine) how do

we do that with you as engineers to figure out how to be more innovative and let technology lead those successes, with the idea that technology can advance the outcome faster than any additional regulatory burdens."







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'Weakening' in 2019 possible, not certain

Dr. Michael Pakko, the state's economic forecaster, foresees growth in 2018, potential weakening in 2019

While some economists are predicting a recession in 2019, the state economic forecaster says a "weakening" is possible but not certain.

Dr. Michael Pakko, chief economist and state economic forecaster at the University of Arkansas at Little Rock's Arkansas Economic Development Institute, offered his thoughts at the ACEC/A Industry Update. He said that while there's talk of a slowdown in 2019, particularly if the Federal Reserve raises interest rates, there's also much uncertainty.

He predicts the state's economy will have grown 2.6 percent in 2017 and will grow 1.9 percent in 2018 and 1.6 percent in 2019.

"Overall, my economic outlook for the next couple of years is steady, moderate economic growth, nothing to write home about, but perhaps weakening in 2019," he said.

An "L-shaped" recovery

Pakko said the economy has grown since 2009, but it hasn't been a steep recovery. Instead, it's been more of an "L-shaped" recovery where a drop-off occurred and trends resumed from the new lower level. Gross domestic product growth has averaged about 2.2 percent over the last seven years. Arkansas wasn't hit as bad as the rest of the nation by the Great Recession, and since then it's tracked somewhat closely. The state experienced a dip in 2012 and part of 2013 - almost a mini-recession - and experienced below average growth in 2014-16. But growth over the last three quarters has "been really phenomenal," exceeding the rest of the United States.

"The bottom line is that after a really slow period emerging from the Great Recession of 2008-2009, things have looked pretty good in Arkansas over the past three to four years," he said.

Income gains in Arkansas have averaged about 2.5 percent annually. However, the economic gains are concentrated



DR. MICHAEL PAKKO says Arkansas has done well since the first part of 2013, while the last three quarters have been "really phenomenal." But economic growth has been concentrated in certain areas of the state, and jobs have been lost in manufacturing and construction.

in dividends, interest and rent, which have been growing 8 percent annually since the worst of the recession, better than the rest of the nation's 6 percent in those areas.

However, those gains benefit owners of capital. Wages and salaries have grown much slower: 4.1 percent nationally and 3.5 percent in Arkansas.

That's how most working families earn their income. As a result, consumer growth has also been slow – about 3.8 percent nationally and 3.2 percent in Ar-

kansas, which translates to 1.5 percent growth in Arkansas after inflation. He expects wages and salaries to be a larger component of income growth moving forward.

Gains uneven across state

Moreover, growth has been uneven statewide. The Fayetteville area's economy is up more than 30 percent since 2007, while Jonesboro's has grown 17 percent. Little Rock's is up 2 percent. But other parts of the state have economies below

pre-recession levels. The Pine Bluff area is down 17 percent.

One issue affecting Arkansas is that its population is growing at half the rate of the nation's. More than two-thirds of the state's counties have been losing population over the last decade. As a result, it's not surprising that the state's gross domestic product is below that of the nation's, he said.

Home sales have experienced strong growth thanks to pent-up demand from the housing crisis and recession. Sales have grown an average of 9 percent annually the past four years, according to the Arkansas Realtors Association, and should grow at that rate this year again. Homes are selling at about the same level as 10 years ago. But Pakko said sales growth will slow to 3.7 percent in 2019, partly as a result of rising interest rates.

Arkansas' unemployment rate is at historically low numbers at 3.6 percent, which Pakko expects to increase to 4 percent in the near-term future. But those low numbers are somewhat misleading. Ten years ago, the labor force participation was 63-64 percent. Today it's 58-59 percent in Arkansas, meaning fewer people are working or looking for work. The lower percentage is the result of several factors, including an aging population and a leveling off of female participation in the workforce, but there's also a troubling loss of prime working age males in the labor force.

Where the jobs are

Employment in Arkansas has grown 1-2 percent since the beginning of 2014, which is faster than population growth. Compared to December 2007, the man-

ufacturing sector has lost more than 27,000 jobs while construction has lost more than 3,000 jobs. In contrast, the number of professional and business services jobs has increased by nearly 31,000, and education and health services jobs have increased by 33,000. Leisure and hospitality services jobs have increased by almost 18,000.

"That explains somewhat the story of the geographical differences in that performance around the state," he said. "What we're seeing is an evaporation of the manufacturing jobs, which tended to be distributed widely across the state, including some of the rural areas, less populated regions of the south and the Ozarks.

"And instead growth is happening in service providing sectors which do their business where the people are."

Van Horn manages construction for Clarksville L&W

Van Horn Construction is providing construction management and general contractor services for Clarksville Light & Water's forthcoming municipal water improvements.

The scope of this multiple-phase project includes a new Spadra Creek Intake Facility and a new collection screen at the Piney Bay Intake Structure.

On Spadra Creek, VHC will install 7,500 linear feet of raw water transmission piping in order to transport water to the city's water treatment plant.

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