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## Montana Contractors' Association Newsletter

July 6, 2011



## MCA and AGC Ask Members to Help Repeal 3% Withholding on Government Contracts

The 3% withholding law will require many public owners to begin withholding 3% of every payment to federal, state and local contractors. Legislation to repeal this requirement is supported by more than 1/3 of all House members and 1/4 of Senators. Now is the time to ask your legislators to support repeal. In addition, the Internal Revenue Service (IRS) issued final regulations on the implementation of the 3% withholding law which delayed the implementation date from 1/1/2012 to 1/1/2013. The delay was due to the complexity of implementing this complicated withholding scheme.

Despite consideration of AGC's 10 page letter recommending modifications based on the low margin, capital intensive nature of the industry, the IRS was unable to make appropriate modification because the law is too restrictive. In response to the final regs impending implementation date, AGC is launching a targeted grassroots campaign aimed at repealing the tax.



### Quick Links

[MCA Newsletter](#)

[MCA Training Page](#)

[MCA Website](#)

### PAC Raffle Tickets Available

The MCA's PAC was instrumental in helping to elect pro-business legislators who did pass many laws that positively affected the construction industry.

Now you have the chance to support the PAC again by purchasing raffle tickets. The drawing will be held at the Summer Outing - now is the time to buy those tickets!

Contact any MCA Associate member, or [Maryann](#) at the MCA for your tickets - today!

Contact one (or all) of Montana's congressional delegation and let them know this withholding tax is onerous and anti-business.

[Senator Max Baucus](#) 202-224-2651  
[Senator Jon Tester](#) 202-224-2644  
[Congressman Denny Rehberg](#) 202-225-3211

The MCA will keep our members apprised of the situation. Don't delay - contact your representative today!

## "Drastic Changes" Could be on the Way

The U.S. Environmental Protection Agency's (EPA) has proposed to mandate *drastic changes* to the way that construction contractors manage stormwater runoff. Unless the agency slows down and changes course, its new general permit for stormwater runoff will deliver yet *another blow* to the industry, as it struggles to recover from the economic recession. *You have a stake* in the agency's proceedings, and AGC therefore urges you to *get directly involved*. Your input is critical to the association's effort to reason with EPA!

The agency intends its new construction general permit (CGP) to replace the one that it adopted just three years ago. Before the agency proceeds, it must, however, provide an opportunity for the public to comment. To meet that obligation, it has to accept comments on the new permit until - and only until - *July 11, 2011*.

To submit your own comments, simply go to [AGC's Legislative Action Center](#) and follow the instructions. The process is quick and easy, and it will *make a difference!* The online form will allow you to personally edit your comment letter. For more detailed instruction on submitting comments [click here](#). Remember, comments are due July 11, 2011.

## Have a Challenging or Unique Project?

### Calendar

July 12-13  
 Pervious Concrete for Contractors  
 Helena  
[Registration](#)

July 14  
 Bid-Letting  
 MDT-Helena  
 9:00 am  
 \* See note, left column

July 20  
 Highway Technical Committee  
 9:00 am, MCA Office, Helena  
 10:00 am, MDT, Helena

July 28  
 Bid-Letting  
 MDT-Helena  
 9:00 am

### Quote of the Week

"Confidence is going after Moby Dick in a rowboat - and taking tartar sauce with you!"  
 - Zig Ziglar

### Header Info

Tom Gore, an instructor with Altitude Training Associates, discusses erosion control methods during the MCA's Advanced Stormwater and Erosion Control class in Kalispell, June 21-22.

Thanks to MCA members Hammerquist Casalegno and LHC for volunteering the use of their sites for the class.

The MCA is working on material for the 2012 Building Montana magazine - and we're looking for MCA members who are working on interesting/unique/challenging/awesome projects. If you'd like your project showcased, contact [Maryann](#) at the MCA.

Along those lines, don't forget to begin collecting photos to support your submission for the MCA's [Building](#), [Concrete](#), [Environmental](#) and [Highway](#) Excellence Awards! Registration forms are available on the MCA website.

## Safety Notice

Some Genie manlifts are affected by a safety notice. [Click here](#) for more information and to see if your models are affected.

## DEQ Adopts New Opencut Permit Forms

After months of consultation with MCA and assistance from several of our members, DEQ has adopted "new and improved" permit application forms for open cut mines. Effective Aug. 1, all applications must be made using the new forms, which MCA members indicate should greatly simplify and expedite the process. Here is the DEQ link to the new forms: [Opencut Mining Permit Forms](#)

## Different Ways to Register

For the MCA Summer Outing, members may now register online with either a check or a credit card. Those paying by check will still need to mail the check into the MCA, but they can complete the registration process online. The MCA would like to encourage everyone to try the online registration and call if they have trouble.

To register, go to [www.mtagc.org](http://www.mtagc.org) and click on the Summer Outing registration link.

## Special Notification to Contractors From MDT

House Bill 319, passed by the 2011 Montana Legislature, requires contractors submitting bids for the construction, repair or maintenance of roads, streets or bridges to include with their bid the contractor's special fuel user's permit number.

Contractors submitting bids on or after October 1, 2011, for construction contracts with the Department must include the contractor's special fuel user's permit number. A bid submitted without the bidder's special fuel user's permit number will be considered non-responsive.

The Expedite bidding software will be modified to add a folder for the entry of the bidder's special fuel user's permit number.

## Special Bid Notification

The Pryor Creek-1m S Huntley/MT11-1 project to replace a bridge damaged during recent flooding, is now being advertised and included in the July 14<sup>th</sup> bid letting as Call Number 105. This project is anticipated to be awarded the same day as bid letting. The successful contractor will need to have contracts completed, including all required insurance and performance bond, and returned to Contract Plans within five working days of the award. There will be an expedited Notice to Proceed of July 22<sup>nd</sup>. Please check the Contractor's System for further updates.

## Think You Can Drive a Dozer?

If so, the Western States Rodeo is where you can show off those skills. There are two rodeo's in Montana this summer - one in Kalispell and one in Missoula. Bragging rights are at stake - [click here](#) for more information.

## Our Mission

To help our member companies become the best construction firms in Montana.



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Montana Contractors Association | 1717 11th Avenue | Helena | MT | 59601