

CALIFORNIA ASPHALT INSIDER

The latest news and views from the California Asphalt Pavement Association
Oct. 24, 2016



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CALENDAR

(Always on-line [HERE](#))

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L.A.-area Technical Committee meeting
Wednesday, Nov. 2, 9:30 a.m. to noon
County of Orange, RDMD Conference Room, 1152 Fruit St., Santa Ana
Contact: Brandon Milar (916) 995-0086
Click [HERE](#) for details.

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SAVE THE DATE!

Greetings!

This weekly bulletin contains the latest news and information of interest to the asphalt pavement industry in California. Please feel free to distribute this newsletter to others who may be interested in asphalt pavements.

→ Court order blocks implementation of prevailing-wage law for PCC deliveries

Last week a federal court issued a preliminary injunction temporarily blocking implementation of a new prevailing wage law for concrete deliveries on public works jobs.

Shortly afterward, Caltrans announced it would not enforce prevailing wage requirements on its projects until further notice while it seeks to get additional legal guidance on the order.

In 2015 the Legislature passed a union-backed bill, AB219, authored by Assemblyman Tom Daly, D-Anaheim, to expand California's prevailing wage law for public works projects to include deliveries of construction materials. Asphalt deliveries were part of the bill for a time but were later removed from the version that was signed into law Oct. 10, 2015, by Gov. Jerry Brown. The bill called for implementation by July 1, 2016. The full text of the law is [HERE](#). A Senate committee analysis of the bill done last year is [HERE](#). A fact sheet about the new law, prepared by the state Department of Industrial Relations, is [HERE](#).



A group of companies sued to block implementation of the new law in U.S. District Court for the Central District of California, which resulted in the court order issued last week. To view the text of the court order, click [HERE](#). The case reference is *Allied Concrete & Supply et al. v. Edmund Gerald Brown Jr., et al.* The case No. is: 2:16-CV-04830-RGK (FFM). The judge hearing the case is U.S. District Judge R. Gary Klausner.

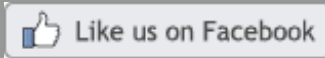
Rachel Falsetti, Division Chief of the Caltrans Division of Construction, told *Asphalt Insider* last week that, until further notice, prevailing wage provisions will not be enforced for Ready-Mixed drivers on Caltrans contracts. She said the department will no doubt issue additional guidance to Caltrans employees and contractors as the department examines the order more closely and assesses what impact it will have on on-going projects. Responding to inquiries, Caltrans has previously reported that the new law will increase costs on projects, diverting money that could be used to repair additional lane-miles.

Traditionally, delivery of construction materials has not fallen under California's prevailing wage law, first enacted in 1931, because such deliveries were not deemed part of the on-going, on-site construction process. Construction trade unions have sought to expand prevailing

CalAPA Annual Dinner
Thursday, Jan. 19, 2017
5:30 p.m. to 9 p.m.
Jonathan Club
545 S. Figueroa St.
Los Angeles, CA
Contact Sophie You at (916)
791-5044 for sponsorship
information.

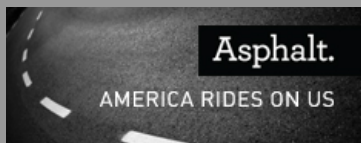
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SOCIALIZE



CHOOSE ASPHALT

Asphalt is used on about 94 percent of paved roads in America. Why? Because it's smooth, quiet, safe, durable and 100 percent recyclable. Visit the [Asphalt Pavement Alliance website](#) learn more about why asphalt is the right choice now more than ever.



GET TECHNICAL

Are you an engineer, designer or technical professional who makes decisions on pavement type selection? The DriveAsphalt website has technical reports and other resources may be just what

wage law through the union-friendly Legislature in an effort to persuade non-union employers to sign on to labor master agreements or adhere closely to union-negotiated wage and benefit packages.

→ Assembly Transportation Committee Chairman Jim Frazier set to speak at CalAPA Annual Dinner Jan. 19 in Los Angeles

Assemblyman Jim Frazier, D-Oakley, chairman of the Assembly Transportation Committee, will be the featured speaker at the CalAPA Annual Dinner, set for Jan. 19, 2017 in Los Angeles.

Frazier, a former contractor who now represents the 11th Assembly district in Northern California, has been the point person for developing a comprehensive transportation funding bill, which stalled in the regular session of the Legislature earlier this year but is now combined in a bill that is parked in a Special Session of the Legislature that is technically still alive until November. Frazier is carrying the omnibus transportation funding bill, which has been endorsed by CalAPA and many others.

Although no official compromise has been announced as all eyes on focused on the upcoming election, transportation advocates are clinging to faint hopes that something could be negotiated and passed during the Special Session this year. A new legislative session begins in January and the process would need to start over.

The dire state of transportation funding in California has been reported far and wide, and has even been the subject of the presidential campaign, with both major-party candidates pledging to make substantial infrastructure investments.



Jim Frazier

Democratic Gov. Jerry Brown on June 15 declared a Special Session of the Legislature to focus solely on transportation, but aside from a couple of hearings and bill amendments, no appreciable progress has been made. In his proclamation creating the Special Session, the governor said: "California faces considerable challenges in its ability to fund critical maintenance and repair of its core transportation infrastructure -- state highways, local streets, roads, and bridges -- and current resources do not adequately support the maintenance of this vast system ... and the current fuel excise tax revenues are only sufficient to fund \$2.3 billion in annual highway repairs, leaving \$5.7 billion in unfunded repairs each year based on the latest estimate of the state's deferred maintenance."

Various legislative proposals to address the problem have varied from pumping an additional \$3 billion to \$7 billion a year devoted to transportation paid for through a variety of means, including gas tax and fee hikes, budget cuts and bureaucratic reforms. No compromise has been able to achieve

you're looking for. Click [HERE](#) for more information.



CalAPA

California Asphalt Pavement Association (CalAPA)

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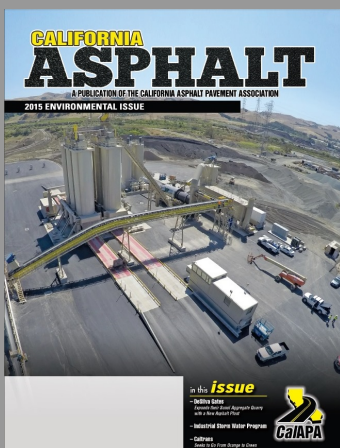
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BACK ISSUES

Did you miss an issue of the *California Asphalt Insider*? No problem! Past editions of the newsletter are available at the CalAPA newsletter [archive page](#)

MAGAZINE



CalAPA produces a highly regarded magazine, *California Asphalt*, and an annual membership directory. To view current and past issues of the magazine, click [HERE](#).

the needed two-thirds majority support of Legislators required by the California Constitution to raise taxes.

Stepping into the leadership void, nearly two dozen cities and counties have also placed transportation funding-related measures on local ballots. The ballot measures also face a steep two-third majority requirement of voters to be enacted.

During his appearance, Frazier will discuss the latest developments in transportation funding, regulation and other issues of interest to the industry, and take questions from the audience.

The annual dinner will take place at the elegant Jonathan Club, 545 S. Figueroa St. in downtown Los Angeles. The official announcement and registration page will be published soon. Sponsorship opportunities are available. For more information, contact Sophie You at (916) 791-5044.



A delegation of CalAPA members meet with Assemblyman Jim Frazier (right) in his office in 2014.

→ L.A.-area Technical Committee meeting to be held Nov. 2 in Santa Ana

CalAPA members and public agency personnel are invited to the CalAPA Los Angeles-area Technical Committee meeting, where technical information and best practices about Hot Mix Asphalt design, construction and testing will be discussed in an informal setting.

The meeting will take place on Wednesday, Nov. 2 from 9:30 a.m. to noon at the County of Orange RDMD Conference Room, 1152 Fruit St. in Santa Ana. Click [HERE](#) for details or to RSVP.

The meeting will feature an update on various Superpave, RAP-RAS and other specification issues from Brandon Milar, P.E., new Director of Technical Services for CalAPA. Milar will be also updating attendees on the latest issues with respect to the new Caltrans pavement smoothness specification, a proposed HMA-LV specification designed especially for local streets and roads, and other issues of interest to industry and agency personnel.

To read the official announcement about Milar joining CalAPA, click [HERE](#).

For more information about CalAPA regional technical committee meetings or to suggest an agenda topic, contact Milar at (916) 995-0086.



Brandon Milar, P.E.

For advertising sales information, click [HERE](#) or call Kerry Hoover with Construction Marketing Services at (909) 772-3121.

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DESIGN!



→ Tech Term of the Week

Each week we highlight a word, acronym or other reference commonly used in the asphalt pavement industry in California.

REJUVENATING AGENT: Similar to recycling agents in material composition, these products are added to existing aged or oxidized HMA pavements to restore pavement surface flexibility and to retard cracking.

→ Quote of the Week

"Rumors are created by haters, spread by fools, and accepted by idiots."

Anonymous

We hope you enjoy CalAPA's *Asphalt Insider*. We are committed to providing you with the most up-to-date information on technical issues, regulation, news and events in California that may impact the asphalt pavement industry. Click [HERE](#) to contact us with any comments or suggestions.

Sincerely,

Russell W. Snyder, CAE

Executive Director
California Asphalt Pavement Association (CalAPA)