The Annual Convention Issue
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Mike Hickey still remembers the exact moment he first considered a career in underground construction. He was back in his native New York City after two years as a commercial diver in offshore Louisiana. He was working for an old German-American carpenter for $8 an hour and opening walls for Brooklyn Union Gas contractors to install shut-off valves.

As they approached a job site in pouring rain one day, Hickey looked out the window of the carpenter’s van and commented on the “poor guys” digging holes along the edge of the street. “Those ‘poor guys,’” old Hans replied, “are in a union, and they’re making $17 an hour.”

“That was a lot of money in 1980,” Hickey recalled. “So I decided in a short time I was going to try to move on from carrying toolboxes and start digging holes.” He joined Kalb Construction that year, working his way up from laborer to foreman and, by 1984, supervisor, overseeing distribution gas service and main installations, until Kalb went out of business in 1988.

In 1990, Hickey and his three brothers went to work for Hallen Construction, New York City’s largest utility contractor. Now executive vice president of operations at Hallen, Hickey serves as a member of DCA’s Board of Directors and extends another proud tradition for Hallen this year as its fifth representative to serve as DCA President.

As local utilities run leaner and regulations grow in complexity and scope, Hickey sees an opportunity for distribution contractors to become increasingly valuable to the customers they serve — if they fully embrace the safety and other regulatory requirements engulfing the utility sector. He talked with Underground Construction magazine about the opportunities and challenges facing distribution contractors and the approaches they can take to capitalize on these positive trends.

How did you and your brothers all go to work for Hallen at the same time?
After Kalb went out of business in 1988, I bounced around the union for a little while, and then Hallen contacted us. Tom Poole and Bob Meschi hired us in April 1990. Tom Ryan, who was a part owner of Kalb, and I were hired as supervisors, and my brothers Terry and Gene who also worked at Kalb were hired as foremen. Our other brother, Danny, had been working in Manhattan but wanted to change fields, so they hired him as a laborer.

The contract they brought us in to run was one that we had worked on at Kalb. It was a type of work that Hallen really hadn’t done in many years, and they realized that we knew how to manage the contract.

Is it unusual to have that many members of one family working in the business?
Actually, the majority of our workforce has been brought in by people who worked at Hallen, whether it’s another family member or a friend, and even through the unions, getting people from them.

We have three fourth-generation employees currently working with us. We have probably a couple of dozen third-generation, and I would say somewhere in the neighborhood of 80 to 100 of our employees are second-generation employees.

My family is in the second generation; our father was a New York City detective, and our mother worked as a full-time secretary in a grammar school while raising the seven of us.

My brothers and I were first, and then as our children and our three sisters’ children started coming of age, many of them started working for the company. I have two sons and eight nephews working for Hallen, so we have 10 in our second generation with the company.

It sounds like you don’t have as much trouble attracting young workers to your company as many other DCA member companies have had.
I know from talking with other members that it’s a serious issue, but we’re fortunate in that respect because our operations are very regional. One of the biggest challenges for many contractors with retaining young talent is that they operate over wide areas, and their employees spend long stretches away from home. We’re only in the New York City tri-state area, which means that all of our people go home at night.

What are some of the biggest changes you’ve seen in the industry from the time you started to the time your sons and nephews joined the company?
I actually think the industry is heading in the right direction and it has been for quite a few years. I was cutting off gas services in my first week in the field. With no experience whatsoever. I was out there in sneakers and shorts and a T-shirt. We used garbage pails as barricades. But the safety and the qualifications and training have improved. It’s much safer and it’s more of a profession now than it was when I first started. It used to be just a job and now it’s a career. I guess that’s why we have so many college graduates that can’t get jobs coming into our field, because we (Hallen) have dozens and dozens of college graduates who just couldn’t get jobs in other fields.

How has it worked out for you at Hallen, mixing these young college graduates with your more experienced and traditional workers?
It’s worked out well because we have a blend of some of the old timers like me that know how to physically do
the work, and then you blend them in with the young and hungry kids coming in, and they teach each other.

A lot of the young people coming in now grew up with video games and video technology, where a lot of us didn’t have any of that obviously – it didn’t exist. When I first became a super in 1984, I had a beeper that just beeped and then you’d have to run find a payphone to call the dispatcher, who would relay a message from the field. It was a big day when we got beepers that could actually tell you which number to call; it saved a lot of quarters.

As technology has come into the industry, you have the old timers that are teaching the proper ways to do the jobs, teaching the techniques of doing the jobs. Plus, the young people coming in and bringing the technology into it and being able to handle all of the training and testing, and everything else that didn’t exist back when we all started in the industry.

Training and operating procedures have also changed a lot since you started work in your shorts and sneakers. I had been in the industry almost 20 years when they came out with the first federal DOT operating qualification recommendations. It wasn’t regulations in the beginning; just recommendations. At that time, you’d just take a written test, and that was it. Now the testing portion of the qualifications is maybe five percent of the whole qualification program. It’s the final piece. But the training courses and the on-the-job training, and all of the tracking that goes on prior to passing that test, are more critical than going into a classroom and taking a test. In fact, we don’t even go into classrooms here anymore; we go to Prometric sites.

It’s common to hear people complain about increased industry regulations, but you seem to take a positive view of these changes. I actually think for contractors there are opportunities now that never existed before, because with all of the increased regulations that are coming on us and the criteria of workforce you have to follow, the utilities are going to become more and more dependent on us. But it requires a commitment to change.

The expression I’ve always used with our own people is: We have two choices; we can change with it, or we get out of it. You can complicate it all you want, but it really is that simple. One of the great benefits to participating in DCA, attending meetings and sharing ideas, is that it gives you the ability to see what’s coming down the pike. It gives you the opportunity to choose to say, OK, we know it’s going to happen. We can stay in front of these changes and start gearing our company to capitalize on them, or we can wait until the regulations are put into effect and then try to catch up.

So you see downsized utility companies and increasing demands as a growth opportunity for distribution contractors who stay in front of regulations? If a contractor is willing to adhere to the way the industry is changing, in my opinion, it’s going to open up opportunities for quality contractors to get more work. I know I can speak for Hallen because it’s working for us.

This is where it really benefits all of us to roll up our sleeves and participate in DCA, not just sharing best practices, but also sharing regional trends that are likely to spread to others. Because just as contractors and utility companies get together in organizations like DCA, Northeast Gas Association, and the American Gas Association, regulators are meeting and sharing information, too.

The Northeast, for example, has taken a very proactive and aggressive approach toward adhering to new regulations that are coming at a level we’re not seeing yet in some other parts of the country, whether it’s pipeline safety management systems or the tracking and recordkeeping of training, the industry is constantly trying to improve the way we perform our work.

Another reason that it’s critical for us to communicate with each other and raise standards is because a bad contractor affects all of us. When there’s an incident because a contractor has not done what they’re supposed to do or has not been properly trained, it changes everything for everybody. We’re all lumped into that same bucket. That’s why it’s important being part of the DCA that we share our best practices together, our close calls together, or anything like that, just so everybody understands. We all communicate that with all our committees.

You’ve talked about changes for contractors, utilities, and regulators, but how are the unions adapting? The unions in New York City have made incredible investments in training their people who want to come into the utility field. For years it was all on the contractors, but the unions have set up schools now where they’re putting their people through very rigorous programs and actually weeding them out for us. In the distant past, if I needed a gas mechanic, I’d call up the union and they would just send me the next guy on their list. Now they do a lot of the work to prepare their members. They do all of the drug testing, the appropriate gas operator qualification training, testing, and they’re working with the utility companies directly to make sure that their programs are in compliance.

Now some of my peers would say, “Well, we pay for that when we pay the training portion of our benefit package.” I agree. But that’s always been there. When I was in the union back in the 80s and early 90s, they never put that money back into the actual training as they do today.

Last year, Hallen Construction was acquired by Quanta Services. After decades as a family-owned and family-oriented company, how is this affecting your culture and direction? I’m thrilled to say that the Quanta people kept the entire executive team led by Shep Poole in place and are going to continue to let us run Hallen as we have successfully for so many years. I’m personally very excited about the possibilities for the future for Hallen and where this is going to take us and our future generations. ▲
2020 Annual Convention

For the most up to date Convention information including schedules, speakers, auction bidding information, attire suggestions and more, please download the DCA Events App.

Please see pages 8-12 for Board of Director candidate profiles, and for a list of convention sponsors, please see pages 13-18.

The Silent Auction Will Be Open To All DCA Members This Year!
Visit the DCA website for information.
One of the most important occurrences at DCA’s Annual Convention is the election of a new Board of Directors. Consisting of four officers, a past president representative, two associate member representatives, six directors, a director at large, and the association’s executive vice president, the board helps direct the association at regularly scheduled board meetings during the year and other informal occasions. To help DCA’s voting members become more familiar with the slate of candidates available for election to the 2020-21 Board of Directors, we have compiled some basic biographical information on each board member.

**2020 Officer Nominees**

**President:**
Ben Nelson  
Michels Pacific Energy  

Ben Nelson is the president of Michels Pacific Energy in Santa Clara, California. Nelson is currently serving on the DCA safety/risk management and government relations committees.

**Brief Work History:** Nelson began working as a parts runner and laborer for Pilchuck Contractors in 1990. After graduating from the University of Washington in 1996, he began working full-time for Pilchuck Contractors. He has moved up through the company as an estimator, project manager, and operations manager. Pilchuck was purchased by Michels Corporation in 1999, and in 2013 Pilchuck transitioned into Michels Pipeline Construction.

**Family Life:** Nelson and his wife Katie have three children: Abigail, Henry, and John. Outside of work, Nelson enjoys spending time with friends and family, coaching team sports, skiing, running, and other outdoor activities.

**Vice President:**
Ray Swerdfeger  
K.R. Swerdfeger Construction Inc.

Ray Swerdfeger is the president of K.R. Swerdfeger Construction Inc., in Pueblo, Colorado.

**Brief Work History:** Swerdfeger grew up in the family business, watching it expand from a few employees to more than 500 at its peak. After installing pipe in the field in high school and earning a bachelor’s degree in construction management from Colorado State University, he started full time with the company as a crew foreman in New Mexico in January 1995. In 1997, Swerdfeger became superintendent of the directional drilling crews in Denver. He expanded the directional drilling into a full-service trenchless division with manhole coatings, pipe lining, auger boring, and pipe ramming. Swerdfeger was named president of the company in 2006. In 2018, he was appointed by the Governor of Colorado to the Underground Damage Prevention Safety Commission for a three-year term.

**Family Life:** Swerdfeger and his wife Jill have two children: Shae and Avri. Swerdfeger enjoys skiing the powder in Colorado, taking on home improvement projects, and spending time with his family.

**Treasurer:**
Kevin Parker  
Mears Group  

Kevin Parker joined Mears Group in 1984 and is presently the vice president of health, safety, and environmental compliance.

**Brief Work History:** During his 35 years in the pipeline and gas distribution industries, Parker has held various roles working on projects across the USA, Canada, and overseas. After graduating with a bachelor’s degree in geological/petroleum engineering, he returned to Mears as an engineer and advanced to his present position where he oversees the HSE, DOT, OQ, and training programs for Mears Group.

Parker started attending DCA functions in 2008 and was awarded Safety Director of the Year in 2012. He regularly attends the spring DCA Safety Congress and has been both a roundtable panelist and moderator at the April DCA & AGA Utility Workshop. He is the past chair of the DCA safety/risk management committee and is a member of the DCA government relations committee, and the DCA OQ Integrity Task Force. He has been a member of the DCA Board since 2017.

**Family Life:** Parker and his wife Tari have three children: Heather, Alex, and Ashley. Parker enjoys outdoor activities including spending time with family and friends at the lake, hunting, boating, white water rafting, and barbecuing.
Immediate Past President:  
**Michael Hickey**  
The Hallen Construction Co. Inc.

Mike Hickey is currently the executive vice president of operations for The Hallen Construction Company in the New York tri-state area. Hickey is a former chairman of the DCA safety/risk management committee.

**Brief Work History:** Hickey started in the business as a commercial diver in 1978 for Oceaneering International in Morgan City, Louisiana. In 1980 he began working as a laborer in the gas utility industry in New York. In 1990, Hickey and his three brothers joined the Hallen family in their construction business. By 1994, he was put in charge of the utility operations for Hallen and has held that position ever since. It was also in 1994 that he began attending DCA meetings. Hickey recently completed a four-year term on the Board of Directors with the Northeast Gas Association as an associate member.

**Family Life:** Hickey and his wife Alice have four married children: Michael and Vanessa Hickey, Craig and Tiffany Smith, Ryan and Kim Hickey, and Patrick and Kaitlyn Barry. They also have six grandchildren: Michael, Kiera, Liam, Lucas, Addy, Callie, and number seven on the way. Hickey enjoys traveling, golf, scuba diving, and boating.

Past President Director:  
**Shepard Poole**  
The Hallen Construction Co. Inc.

Shepard Poole is the president and chief executive officer for The Hallen Construction Co. Inc. in Island Park, New York. He has served on the strategic planning committee, the safety/risk management committee, the DCA-Dale R. Michels scholarship committee, and the executive/finance committee. Poole was the DCA president in 2009.

**Brief Work History:** Poole began his construction career as a part-time laborer with Hallen in 1986. From 1992 through 1997, he was a superintendent. In 1997 he became the Quality Assurance Director. From 1997-1999, Poole served as the assistant vice president of operations, and in 1999 he was appointed vice president of operations.

**Family Life:** Poole and his wife Anne have three children: Dale, Tommy, and Gwen. Poole is active in charity work and has served on numerous boards including the Marty Lyons Foundation and Winthrop University Hospital. In his free time, he enjoys golf, hockey, and reading.

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**Candidates for Contractor Member Director**

Three to be elected for a two-year term, one to be elected for a one-year term

**Director:**  
**Mark Albert**  
AGI Construction

Mark Albert is the founder and chief executive officer of AGI Construction (AGI), headquartered in Smithfield, Rhode Island.

**Brief Work History:** Albert studied business at Rhode Island College and engineering at the University of Rhode Island prior to founding AGI Construction. Under Albert’s leadership, AGI has grown from a small family-owned company into a regional natural gas contractor servicing New England and upstate New York with nearly 300 employees. Albert has guided AGI through its rapid expansion in the natural gas industry. He has helped to create a proprietary cloud-based work management system specifically customized for the industry. Albert and his team created a training program that also serves as AGI’s apprenticeship program for its field personnel, ensuring AGI’s employees are the best and the most highly trained in the industry. Albert also developed a very detailed damage prevention process which is now referenced as an industry best practice. Albert has recently been asked to serve on the Board of Directors for the Northeast Gas Association. He also serves as a Co-Chair of the Government Relations Committee with the DCA and he is completing a one-year appointment as director at large with the DCA. In addition to his business pursuits, Albert is committed to giving back to the community by supporting multiple organizations such as the Gloria Gemma Breast Cancer Foundation, A Wish Come True, and the Metropolitan Regional Career and Technical Center, as well as many local youth sports teams. Albert is also a huge supporter of the Boys and Girls Club of Providence.

**Director:**  
**Dan Carson**  
Carson Corporation

Dan Carson is the president of Carson Corporation headquartered in Lafayette, New Jersey. Carson has over 30 years of experience in the construction industry as a specialty contractor performing both HDD and Civil Construction. Carson joined the DCA in 2013, served as
vice-chairman of the HDD committee, and was elected to the board of directors in 2018.

**Brief Work History:** Carson attended the College of Wooster, where he graduated with a bachelor’s degree in business economics. He formed Carson Corporation in 1987 to serve the growing construction industry in northern New Jersey, and his company has evolved into servicing both private and public sectors nationally.

**Family Life:** Carson and his wife Whitney reside in New Jersey with their daughter Montana. Outside of his career, Carson enjoys cultivating his farm, outdoor activities, golfing, and spending time with family and friends.

**Director:**
**Bill Colson**
**Pretec Directional Drilling LLC**

Bill Colson is currently the general manager of Pretec Directional Drilling LLC based out of Eau Claire, Wisconsin. Colson is a current co-chairman of the DCA safety/risk management committee.

**Brief Work History:** Colson started in the industry in 1997 as an operator in the Operating Engineers. Colson worked his way up through the ranks of operator, foreman, safety assistant, safety manager, project manager, and general manager. Colson has worked with many of the union pipeline contractors as well as HDD contractors across the nation. In 2016, Colson was asked to fill the role of general manager at newly-formed Pretec. Colson has been attending and actively participating in the DCA since 2017.

**Family Life:** Colson and his fiancé Kelly Helmick have four children between them: Matthew, Alex, Camrynn, and Morgan. Colson enjoys traveling, fishing, and hunting.

**Director:**
**Steve Dockendorf**
**NPL Construction Company**

Steve Dockendorf is vice president with NPL Construction Company in Lakeville, Minnesota.

**Brief Work History:** Dockendorf started his career as a laborer and fuser for NPL Construction Company in 1980. Over the next 39 years, he has held various positions with NPL: foreman, safety director, general superintendent, and area manager, to now serving as vice president. Dockendorf serves on committees with AGA and MEA and has served as co-chair of the DCA government relations committee.

**Family Life:** Dockendorf and his wife Cindy have three sons: Sam, Seth, and Jack. When not working, he and Cindy enjoy walking and travel.

**Director:**
**Jim Lagios**
**Atlas Trenchless LLC**

Jim Lagios is the president of Atlas Trenchless, a successful, growing national HDD contractor based in Rockville, Minnesota. Atlas performs HDD and auger boring services throughout the U.S. in the gas and public works sectors. Lagios currently serves on the HDD committee and has served on the board of directors since 2013.

**Brief Work History:** Lagios started as a laborer for Michels Pipeline in the HDD division in 1989. He moved up through the ranks of several reputable HDD providers over the last 25 years to his current position as president of Atlas Trenchless. Lagios’ extensive hands-on experience in the HDD industry has earned him senior management positions in several high-profile HDD organizations throughout his career. He is often called upon by his peers in the industry for advice and solutions in tough drilling situations. He continues to lead the Atlas team as they entrench themselves as a safe, highly qualified, reputable HDD contractor.

**Family Life:** Lagios, his wife Sherry, and their four children, Gage, Larissa, Tiana, and Kyra, enjoy their time together. Lagios also enjoys hiking, hunting, and fishing.

**Director:**
**Jaeson Osborn**
**Primoris Services Corporation**

Jaeson Osborn is currently the group president of distribution for Primoris Services Corporation in Little Canada, Minnesota. He oversees gas and electric distribution activities throughout the US. Osborn currently sits on the OQIP committee for the Distribution Contractors Association.

**Brief Work History:** Osborn started in the business as a laborer for Mueller Pipeliners in 1998, working out of St. Paul, Minnesota. In 2000, Osborn joined Q3 Contracting as a fuser/fitter. From 2000 to 2012, he assumed many roles at Q3 Contracting while the company grew. Some of these roles included operator, foreman, safety director, operations manager, and general manager. In 2012, Q3 Contracting was acquired by Primoris Services Corporation. With Primoris, he assumed the roles of vice president of operations, president of operations, and his current role as group president of distribution. Osborn has been involved with the DCA since the mid-90s; first as a guest with his parents who are active members, and since 2010 as a contributing member.

**Family Life:** Osborn and his wife Kayla have two children: Rhett and Tegan. Osborn enjoys traveling, anything sports related, classic cars, and spending quality time with his family.
Senior Associate Member Director:
Woody Ferrell
Cross Country Infrastructure Services

Woody Ferrell is currently the Director of Equipment Sales Canada for Cross Country Infrastructure Services, located in Aurora, Colorado and Spruce Grove, Alberta, serving oil and gas pipeline contractors in the U.S. and Canada. Ferrell has served as co-chairman of the DCA membership committee and has served on both the Curtis Allen and the DCA-Dale R. Michels scholarship committees. He has also supported the DCA oil and gas pipeline initiative by attending DC fly-ins.

Brief Work History: Ferrell started his heavy equipment career after four years of service in the United States Coast Guard and graduation from N.C. State University. He has worked in both the retail and manufacturing arenas of the heavy equipment industry his entire work history. Throughout his career, he has held positions such as service manager, salesman, branch manager, product manager, and vice president of remarketing, and is currently national accounts manager. Ferrell has attended DCA meetings since 2012.

Family Life: Ferrell and his wife Janet have two sons: Rush and Austin. Ferrell enjoys playing golf, spending time on the beach, and boating and offshore fishing.

Director:
Doug Anderson
Miller Pipeline

Doug Anderson is a construction manager for Miller Pipeline, headquartered in Indianapolis, Indiana.

Brief Work History: Anderson began his career as a laborer in 1993 for Mueller Pipeline (MRM) in St. Paul, Minnesota. During his time with the MRM network of companies, Anderson worked in New Jersey, Buffalo, and various areas of the Midwest. He filled the roles of fuser, operator, and foreman before being promoted to manager of distribution for Iowa, Wisconsin, and Illinois on several fiber optic, pipeline, and distribution projects. Anderson spent the last eight years with INTREN as director of gas operations.

Anderson joined the Miller Pipeline team in December of 2019. As construction manager, Anderson will help support contracts in Miller’s Eastern region while helping to expand their Midwest footprint. Anderson has been a member of the DCA since 2011. He has participated on various committees and works with the labor committee during negotiations. He was elected to the board of directors in 2019.

Family Life: Anderson and his wife Linda have three daughters: Raechel, Karlee, and Jenna, in addition to Anderson’s daughter Alicia and son Alex. Anderson enjoys spending time with his family, golfing, hunting, and doing projects around their home.

Director at Large:
Doug Reeves
Q3 Contracting Inc.

Doug Reeves is the president of Q3 Contracting Inc. (Q3C), located in Little Canada, Minnesota.

Brief Work History: Reeves started work in the utility industry performing power pole and power line inspections in Indiana in 1989. A career change in 1990 initiated a shift to the natural gas industry, where Doug performed and later managed code compliance services such as leak surveys and line locating throughout the upper Midwest. Reeves moved to Minnesota in 1997 and started work with Q3 Contracting in 1998. During his time with Q3C, Reeves has held multiple positions in field operations management and estimating. He was named president of the company in September 2017. Reeves also serves on the DCA labor committee.

Family Life: Reeves and his wife Carol have two children: Katie, 17, and Nathan, 13. The Reeves family enjoys traveling and the outdoors including golf, hiking, and upland hunting.

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Candidates for Junior Associate Member Director
One to be elected for a two-year term

Junior Associate Member Director
Candidate:
Scott Cooper
Caterpillar Inc – Building Construction Products Division

Scott Cooper is currently a senior national accounts manager for the Building Construction Products Division of Caterpillar, Inc., in Cary, North Carolina. Cooper is responsible for all national account customers headquartered in the Southeastern region of the United States. This covers customer jobsites across the U.S., Canada, and other countries. Cooper is currently serving as the co-chair of the DCA membership committee. Cooper has represented Caterpillar in DCA since 2014.

Brief Work History: Cooper has been in the construction industry for 22 years. Since graduating from East Carolina University with a bachelor's degree in construction management, he has held various positions within Caterpillar, including production manager, customer service manager, senior marketing engineer, worldwide marketing manager for telescopic handlers, territory industry field sales, and service representative and national accounts manager. Cooper is involved in construction advisory boards at East Carolina University (ECU) and Cape Carteret Community College. He is currently the president of the Executive and General Advisory Board for Construction at ECU, representing 110 major companies. Cooper serves as a board member for the Lee County Educational Foundation and is a committee member of the Cat Foundation within his division. He is also a talent recruiter for the Building Construction Products Division.

Family Life: Cooper and his wife Beth live with their daughter Hope in Sanford, North Carolina. Beth is a DOD school teacher at Fort Bragg for pre-kindergarten students. Hope is a junior at ECU working toward her MBA. Cooper and his family attend Saint Luke United Methodist Church in their home town. Cooper enjoys hunting, fishing, and hanging out with his dog Bones. Cooper is a member of Buffalo Lodge 172 and at 32 degree in the Scottish Rite.

Junior Associate Member Director
Candidate:
Randy Rupp
Subsite® Electronics & HammerHead® Trenchless

Randy Rupp is currently the Director of Marketing and Corp Strategy for the Subsite and HammerHead brands. Subsite Electronics is in Perry, Oklahoma and is a leading manufacturer of innovating utility locating, HDD guidance, and utility inspection equipment to service the installation, maintenance, and inspection of underground pipe and cable. HammerHead Trenchless is in Lake Mills, Wisconsin and is a leading manufacturer of installation, rehabilitation, and replacement equipment for the gas, telecom, sewer, and water markets. Rupp is currently the co-chair for the DCA workforce committee.

Brief Work History: Rupp started in the underground construction industry as a district representative for the Ditch Witch® Factory in Perry, Oklahoma in 1995, initially servicing the North and South Carolina territory. He progressed through the sales department at Ditch Witch where, in 2008, he became national sales manager. In 2011, he moved to the product development side of the business where he took on the role of product manager for HDD products. In 2012, Rupp became the director of product definition for Ditch Witch, and in 2013 he was promoted to vice president of product strategy at Ditch Witch. In 2019, the Toro Company purchased the Charles Machine Works and Rupp moved to the Subsite Division to implement new product development processes and strategies. In August of 2019, the brands of Subsite and HammerHead were combined under one leadership team, and Rupp assumed the role of director of marketing and corp. strategy for Subsite/ HammerHead.

Family Life: Rupp and his wife Cindy have three sons: Jacob, Zachary, Joseph, and a daughter-in-law, Karly. Rupp enjoys family, traveling, history, museums, and his cows.
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Platinum Sponsors (continued)

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LaValley Industries
www.lavalleyindustries.com

Laborers International Union of N.A.
www.liuna.org

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Gold Sponsors (continued)

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www.pipeviewamerica.com

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DCA wishes to thank all of the 2020 Annual Convention Sponsors
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The Distribution Contractors Association Board of Directors, in recognition of distinguished and noteworthy service to the distribution construction industry and to this association, confer the highest honor to Chris Brahler of TT Technologies, Inc.

Elected Honorary Member February 27, 2020

Here, There, and Everywhere: A Salute to Chris Brahler

TT Technologies CEO Christian (“Chris”) Brahler has spent more than 40 years in the underground, construction, and trenchless industries, leading the company since its inception and growing it into a worldwide brand. Based in Aurora, Illinois, TT Technologies specializes in pipe bursting, pipe ramming, horizontal directional drilling, and piercing tools. “We were trenchless before trenchless was an industry buzzword,” Chris likes to say.

Chris is described by those who know him best as a man always on the move. “The busier he is, the happier he is. Six out of eight cylinders are always running,” said Dave Holcomb, Brahler’s good friend and vice president and regional manager of TT Technologies. Chris’s friends refer to him affectionately as “Turbo Tennies.”

His travel schedule is constantly packed with trips across the country and across the globe. Chris continues to spread the word about trenchless technology, give presentations in new markets, attend trade shows, and keep up with his far-flung customers. But over the past three decades, one event that he has always made time for is the Distribution Contractors Association’s (DCA) annual convention and mid year meetings. Going above and beyond mere attendance, Chris served on the DCA Board of Directors in 1994-95 and numerous committees.

This year, the DCA celebrates his dedication as it inducts Chris into its coveted Honorary Membership on February 27, 2020. Chris will be only one of a handful of DCA members to join the ranks of industry leaders honored by the DCA over the past five decades.

The normally reserved Chris and his wife, Gena, who serves as CFO of TT Technologies, were taken aback at the honor when DCA announced his award at the Past Presidents’ Dinner last year.

“We’re just honored to be a part of DCA,” Chris said. “The DCA is the best family of people in the industry.”

Gena Brahler echoed that sentiment: “By far, the DCA is the closest-knit group of people. It allows new people—and their families—to get to know each other. Our daughters, Sarah and Jennifer, practically grew up with the children of other DCA members.”

The Brahler girls, now married with children of their own, still keep in touch with their DCA friends and Sarah Brahler Mahlik is following in her parents’ footsteps, working at TT Technologies.

DCA’s All In the Family

The Brahlers were first introduced to DCA in 1988 when Chris was vice president of Vibra King, which became TT Technologies in 1991. By 1994 he had joined the DCA Board of Directors. Right from the start, Chris and Gena say they were impressed with the organization, especially the family-oriented events and attention to detail. In fact, Gena recalls that the smaller annual DCA mid year meeting quickly became a favorite family retreat.

“We always looked forward to going because it was always held in a great location,” she said. “In fact, it was the highlight of our summers.”

Chris got his first taste of DCA hospitality at one of those early mid year retreats. He and Gena found themselves in two non-connecting rooms with two children. Fellow honorary member Dan Watters and wife Jeanne quickly recognized the situation and insisted that they switch rooms so that the family would all be together. “That says it all about the people at DCA – kind and thoughtful.”

As TT Technologies grew, so did Chris Brahler’s commitment to the DCA. He didn’t hesitate to donate equipment to the annual auction. The auction has experienced extraordinary growth over the years, and much of that success can be traced back to Chris.
“Chris is an industry Icon. People seek him out for his advice, leadership, and friendship. People who meet him never forget him. He has that effect on people, while being one of the most humble people you’ll ever meet. One of the most dedicated, sincere, loyal, and caring people you’ll ever meet. He’s a real people person. He is a professional at avoiding having his picture taken who doesn’t like the limelight, recognition, or fame, and expects none. Congratulations on being elected a DCA Honorary Member.”

Dave Holcomb
Vice President, Regional Manager
TT Technologies, Inc.
“Chris, your contributions to the underground construction industry is legendary, and your support of the DCA unparalleled. And, I’d like to personally thank you for your support over the years. Congratulations on being selected as an Honorary Member.”

Shep Poole
President & CEO
The Hallen Construction Company, Inc.

“Congratulations on becoming a DCA Honorary Member! Your history of leadership, support, and love of this association makes you ideal for this honor. More importantly, you have been the guiding light to so many new members! You were one of the first people to welcome me into the DCA and I am lucky to call you a friend all these years later! Chris, you so deserve this honor. You are the embodiment of the DCA’s values.”

Shep Poole
President & CEO
The Hallen Construction Company, Inc.
“I have so many fun memories of DCA trips: squirt gun fights on the Snake River, rafting near Sun Valley, and Mesa Verde National Park, to name a few. Many of the people we met are our friends today. It was wonderful when we were able to bring our own children to Nemacolin. So a big thank you, Mom and Dad, for bringing us along. It made a lasting impression!”

Jennifer Brahler Nagle

and his well-known generosity. When legendary DCA auctioneer and honorary member Butch Graham challenged him to double, and at times triple, his donation to help raise the stakes, Chris never hesitated. “But I’ve learned to stand in the back,” Chris said with a laugh. Today, TT Technologies continues to be an integral part of the auction.

In 2007, Chris and Gena were tapped to chair the annual convention. The chosen location was Nassau, the Bahamas. “In those days, it was a big deal to go offshore,” said Chris. The Brahlers remember all the meetings and preparation that went into making the event a great success, even taking a preliminary trip to the island with then-DCA executive vice president Dennis Kennedy and his wife Regan.

Chris said he learned valuable lessons from Dennis on that trip, especially how important attention to detail is in order to pull off a smooth event and make sure all members feel valued and appreciated. Current DCA Executive Vice President Rob Darden continues that tradition, which makes the DCA unique.

“It’s incredibly important to make sure that sponsors get thanked and no one gets overlooked,” Chris said. He has since taken the lessons he learned from DCA’s meticulous preparation and applied them to his work with the North American Society for Trenchless Technology (NASTT). Chris was inducted into the NASTT Hall of Fame in 2018.

Friends and Frivolity
As the distribution and underground construction industries have changed over the years, so has the membership of the DCA. Chris pointed out that, unlike other industry associations he and Gena attend, the DCA gatherings encourage both contractors and vendors to put friendships first. In addition to DCA business, governmental, safety, and informational meetings, there’s also a full agenda of social events, including golf tournaments that Chris counts as one of his favorite memories, and where he has probably made the most friends.

As a former scratch golfer, Chris always did well on the links and admits there may have been a few secret side bets over the years. However, in the spirit of DCA hospitality, he knew the most important thing was to make newcomers feel welcome. One time he got paired with a new member who was unfamiliar with the game of golf and thought that you teed up for every shot. Chris decided to bend the rules a bit for him, and he made sure everyone in his foursome teed up as well.

That good-naturedness always extended off the links as well. After one memorable DCA meeting at the Gaylord Hotel in Dallas, Chris found himself with pal Shep Poole of Hallen Construction Company, who had convinced him to try a great wine. Chris ordered a bottle and agreed that the wine was terrific but, before he knew it, they had been joined by several others. Soon, Chris recalled, he knew he’d been had. He learned an important lesson that day: tasty wine comes with a tasty price.

“Chris Brahler is undeniably the most hard-working, smart, ethical, generous, and determined person and leader I have ever met. Everyone who meets him feels valued and important. His competitive spirit, experience, and drive round out his character. He shows up every single day, giving 1,000 percent. There is no one like him and I am not just saying this because he’s my dad. I love you, Dad!”

Sarah Brahler Mahlik

TT Technologies, Inc.
“Chris, I was really pleased to hear that the DCA Board of Directors has voted to recognize you as an Honorary Member. You richly deserve the honor and I can think of very few Associate Members in my 20-plus years as Executive Vice President that would be as deserving. Your company’s generosity and family friendship to mine were high points of my career. Congratulations!”

Dennis Kennedy
1989-2010 Executive Vice President
Distribution Contractors Association

“It is easy to understand why Chris was chosen for this great honor. He is a true leader and industry promoter. I got to see this personally when he was the ICUEE chair for AEM, and DCA has chosen wisely. Congratulations!!!”

Al Cervero
Senior Vice President Construction
Mining and Utility
Association of Equipment Manufacturers
The Future

Chris Brahler has been a leader in the underground and trenchless construction industries for 45 years. During his career, he has worked with water, wastewater, and gas utilities, plumbers, telecommunications companies, and contractors. Today, with more than 200 patents worldwide, TT Technologies’ experience shows in trenchless applications ranging from pipe pulling, pipe ramming, pipe bursting, sliplining, and directional boring. Contractors and municipalities alike benefit from tools that feature low maintenance and high reliability with proven accuracy and profitability, available from office and distribution centers nationwide. Chris attributes his success to knowing his market and staying in his lane.

“Chris is a great visionary,” said Dave Holcomb. “He can see five to 10 years down the road. All of us at TT Technologies are right behind him. Believe it or not, he’s never been wrong. Maybe someday, but not yet! Chris’ motto is that you can’t have too much business, and we think he’s just hitting his stride.”

Chris downplays the compliments and said that the success of his company lies in a simple principle: “Find your niche in the market, provide the best equipment, and take care of your customers.” ▲
Insights

Trump Administration Issues Final Rule on “WOTUS”
On January 23, 2020, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (the Corps) released a final rule (FR) redefining the term “waters of the United States” as applied under the Clean Water Act (CWA). The FR substantially narrows the scope of waterbodies subject to regulation under the CWA by removing interstate streams as a separate jurisdictional category, excluding transient streams and wetlands that are not adjacent to another non-wetland jurisdictional water.

The FR replaces the definition of waters of the United States (WOTUS) adopted under a 2015 Obama-era rule which was formally repealed by the Trump Administration last October. The previous WOTUS rule expanded federal control over several types of waterbodies, particularly with respect to tributaries, adjacent waters, and wetlands. The previous rule was subject to numerous legal challenges by several states and other parties. This resulted in a patchwork regulatory regime where implementation of the previous rule was overturned in 28 states, while the remaining 22 states were subject to the more expansive regulatory WOTUS definition.

A Bit of History
The history of the WOTUS rule is a long one, starting with several legislative efforts that were considered by many states and industries (including the construction industry) to be nothing more than a land grab attempt by the federal government trying to impose CWA jurisdiction over temporary waterways following wet weather events. The Obama-era rule carried several harmful impacts that threatened to delay or even terminate critical energy infrastructure projects.

The process of wetland evaluation is important. Once a piece of land is designated a wetland, the next question is whether it can be subject to federal regulation or not. States are always allowed to regulate wetlands under existing power, but federal jurisdiction is limited. Federal agencies began regulating wetlands that were adjacent, broadly meaning neighboring or bordering, to traditional flowing waters.

Major problems were introduced when application of “adjacent” to a wetland was expanded to include connections through a simple ditch, in some cases many miles from flowing waters. Then, after the infamous Rapanos Supreme Court case and others in 2006, the
EPA and Corps agencies deemed wetlands – even those isolated from flowing waters – as regulated on a case-by-case basis if they had a speculative, “significant nexus” with flowing waters: hydrology, habitat, storm storage, pollutant trapping, etc.

The 2015 Obama WOTUS rule strongly supported the significant nexus view, which spurred the extensive litigation mentioned above.

**Jurisdictions Redefined**

Under the Trump Administration, the EPA and the Corps confirm that groundwater is not subject to regulation under the CWA, and because of that, surface waters connected only via groundwater are also not jurisdictional. The agencies point out that states retain the authority to regulate non-jurisdictional waters within their jurisdiction if they deem such regulation appropriate.

**Waters Subject to WOTUS Definition**

- Territorial seas and traditional navigable waters
- Perennial and intermittent tributaries that contribute surface water flow in a typical year to a territorial sea or traditional navigable water
- Lakes and ponds that are, or contribute flow to, a traditional navigable water during a typical year, or are inundated by flooding from a jurisdictional water in a typical year
- Impoundments of jurisdictional waters
- Adjacent wetlands

**Waters Excluded from WOTUS Definition**

- Any water not regulated as one of the four categories of jurisdictional waters (above)
- Groundwater, including groundwater drained through underground drainage systems
- Ephemeral (short-lived) waters, including ephemeral streams, swales, gullies, rills, and pools
- Certain storm water run-off
- Ditches that are not navigable waters or jurisdictional tributaries
- Prior converted cropland
- Artificially irrigated areas that would revert to upland without irrigation
- Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock waters, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters
- Water-filled depressions constructed or excavated in upland or in non-jurisdictional waters incidental to mining or construction
- Stormwater control features constructed or excavated in upland or in non-jurisdictional waters to convey, treat, infiltrate or store stormwater run-off
- Groundwater recharge, water reuse, and wastewater recycling structures, including detention, retention, and infiltration basins and ponds, constructed or excavated in upland or in non-jurisdictional waters
- Waste treatment systems

The EPA contends that the FR was based on robust public outreach and engagement, including public engagement that generated more than 6,000 recommendations and approximately 620,000 comments received on the proposed rule issued in February of last year. According to the EPA, the final definition balances public input received from a wide range of stakeholders.

**Industry Support**

DCA has supported efforts to prevent, and then overturn, the previous rule for years, and we are pleased with the improvements offered by the FR. The American Gas Association (AGA), which represents a large portion of DCA’s customer base, also expressed praise for the new rule. Once implemented, the AGA stated that the rule will provide the necessary guidance to both federal agencies and the regulated community to help reduce delays in the construction of vital energy infrastructure projects across the country.

“This new rule will provide much needed clarity and regulatory certainty for companies that site and build infrastructure that delivers essential energy to America’s communities,” said AGA President and CEO Karen Harbert. “Moving forward, this new, more understandable rule should provide the transparency lacking in the pre-2015 and 2015 definitions. We appreciate the EPA and Army Corps of Engineers restoring regulatory common sense in defining the scope of federal waters of the United States.”

The natural gas industry, along with most in the general business community, has advocated for clear, sensible regulations that protect waters and wetlands while allowing for critical infrastructure projects, such as those needed to deliver natural gas to commercial and residential customers.

“Our members need to know when their projects are subject to Clean Water Act jurisdiction without the risk of being second-guessed in a subjective, case-by-case decision making process that delays the completion of critical infrastructure projects. This rule would restore the proper balance between federal and state regulation of our nation’s waters and protect our rivers, streams, and lakes without stifling construction of important infrastructure,” Harbert said. “We expect this rule to be an important step towards delivering affordable energy to the 179 million Americans that currently rely on natural gas and to the underserved communities that want it.”
Rep. Sam Graves (R-Mo.), ranking member of the House Transportation and Infrastructure (T&I) committee, agreed. The T&I Committee has been dealing with the WOTUS issue for decades, and Graves is no stranger to the issue. Praising the Trump FR, Graves said the “new rule offers greater certainty and promotes the important partnership between states and the federal government in ensuring we have a healthy environment. I look forward to working with the Administration to see this important rule implemented as intended.”

As is true with any landmark policy decision, the new WOTUS rule is heading straight to the courts, with many states looking to prevent federal intrusion over their waterways, and environmental groups claiming that the Trump rule lacks the scientific evidence needed to overturn the Obama rule. Many legal experts believe the ultimate fate of the WOTUS rule will be decided by the U.S. Supreme Court.

White House Unveils Plan to Speed Big Projects Permits
In January, the Trump administration proposed changes to speed infrastructure reviews under the National Environmental Policy Act (NEPA). NEPA requires federal agencies to assess environmental effects from major actions, including most natural gas pipeline projects.

A final rule will be issued after the public comment period and pending hearings in the House and Senate. Among the key changes include:

- Projects’ cumulative environmental effects will no longer be considered; only effects that are reasonably foreseeable and have a close causal relationship
- Two-year time limit for environmental impact statements to be completed, one-year limit for less rigorous environmental assessments
- Project applicants could prepare their own impact statements under federal supervision

The proposal would put one federal agency in charge of overseeing the review process, instead of multiple agencies as under the current rule.

This “One Agency, One Decision” policy is not new. Updating and streamlining the federal permitting process has been a priority for the Trump Administration since taking office, and has been a longstanding effort by many in Congress over the past several years. In fact, reform of the permitting process for natural gas pipelines was one of the first issues DCA supported when expanding its government relations program in 2012.

Over the last few years, federal courts have ruled that NEPA requires the federal government to consider a project’s carbon footprint in court cases related to leasing public lands for drilling or building pipelines. According to CEQ, the average length of a full-blown environmental impact statement is currently 600 pages and takes four and a half years to conclude.

“For the first time in over 40 years today we are issuing a new rule under the National Environmental Policy Act to completely overhaul the dysfunctional bureaucratic system that has created these massive obstructions,” President Trump said at the White House when unveiling the proposed plan.

The president’s efforts to cut regulatory red tape have been praised by industry, but they have also triggered waves of lawsuits that the administration has lost in court. Environmental groups who believe the plan will remove a powerful tool to protect local communities from the adverse impacts of a hastily designed and reviewed project are certain to challenge the proposal.

Pipeline Safety Bill Remains in Limbo
As previously reported, legislation that would reauthorize the nation’s pipeline safety program stalled last year after many poison pill provisions were included in many versions of the bill sponsored by Democrats in control of the House. Attempts to inject language that would require methane mitigation measures and other controversial provisions resulted in substantive debate coming to a screeching halt.

Rep. Fred Upton (R-Mich.), ranking member of the House Energy and Commerce committee’s subcommittee on Energy, recently published an op-ed aiming to set the record straight.

“After months of discussing a bipartisan reauthorization with our Democratic colleagues, they have decided to move forward on their own path, crafting a partisan plan without Republican input,” Upton wrote. “This bill has historically been a bright spot of bipartisanship on an issue of national importance, and it should be again this year. With our government divided, the only way to advance something through Congress and get it signed by the president is if Democrats work with Republicans.”

In the meantime, legislation has been introduced by Republican Reps. Rick Crawford (R-Ark.) and Sam Graves (R-Mo.) that would reauthorize the Pipeline and Hazardous Materials Safety Administration (PHMSA) for four years and includes a number of provisions that were conceived in a bipartisan manner. In addition to reauthorizing PHMSA, the Pipeline Safety Improvement Act of 2019 (HR 5175) would:

- Create new PHMSA regulatory authority for inspection and maintenance of ‘idled’ pipeline operating status
- Create a division of Liquefied Natural Gas Facility Safety within PHMSA’s Office of Pipeline Safety to ensure safety and oversight of LNG facilities
- Increase PHMSA staffing levels to hire additional subject matter experts and attorneys with safety expertise.
Importantly, the bill would also address criminal activities during pipeline protests by prohibiting actions that jeopardize safety, such as unauthorized turning of a valve; puncturing of a pipe, pump, or valve; and causing a defect to a pipe, pump, or valve. This language protects First Amendment rights to free speech and assembly.

“Pipelines remain one of the safest ways to transport sensitive but vital energy resources around our country. Congress has a chance to strengthen DOT’s pipeline safety policies, but every day we fail to do that closes our window of opportunity a little bit further. This bill will strengthen pipeline safety efforts in the United States and provide reasonable regulatory improvements for the safer, more efficient transportation of energy products,” said Graves. “Our committee’s roadmap for success has always been working together to pass good, bipartisan bills, and committee Republicans remain ready to work across the aisle to get a bill done that can gain broad bipartisan support.” ▲

Eben M. Wyman
Principal
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DCA & AGA Utility Contractor Workshop

The 2020 DCA & AGA Utility Contractor Workshop will be held April 13-15 at the The Ritz-Carlton in Chicago, Illinois. Previous workshops have brought together more than 150 attendees from local distribution companies, construction contractors and manufacturers, labor unions, and industry experts from around the country, along with federal and state government representatives. The workshops are intended to increase communication and cooperation between gas distribution utilities and the contractors who work for them. If you have any questions, don’t hesitate to contact Eben Wyman at 703-750-1326 or at eben@wymanassociates.net.

Preliminary Agenda and Registration Information Available on the DCA website.
**Calendar**

**DCA & Industry Events**

**2020**

**MARCH 10 - 14**
CONEXPO-CON/AGG 2020
Las Vegas Convention Center
Las Vegas, Nevada
www.conexpoconagg.com

**MARCH 24 - 26**
CGA 811 Excavation Safety Conference & Expo
Palm Springs Convention Center
Palm Springs, California
www.CGAconference.com

**MARCH 30 - APRIL 1**
DCA 2020 Safety Congress
Hyatt Regency Austin
Austin, Texas
www.dcaweb.org

**APRIL 5 - 9**
NASTT’s 2020 No-Dig Show
Colorado Convention Center
Denver, Colorado
www.nodigshow.com

**APRIL 13 - 15**
DCA & AGA Workshop
The Ritz-Carlton - Chicago
Chicago, Illinois
www.dcaweb.org

**APRIL 20 - 24**
Pipe Line Contractors Association of Canada Annual Convention
Hyatt Regency Maui Resort & Spa
Lahaina Maui, Hawaii
www.pipeline.ca

**JULY 15 - 18**
DCA Mid Year Meeting
Grove Park Inn
Asheville, North Carolina
www.dcaweb.org

**SEPTEMBER 14 - 18**
International Pipe Line & Offshore Contractors Association (IPLOCA) 2020 Convention
Prague, Czech Republic
www.iploca.com

**OCTOBER 26 - 28**
DCA Fall Meeting
Fairmont Olympic Hotel
Seattle, Washington
www.dcaweb.org

**2021**

**FEBRUARY 15 - 20**
DCA Annual Convention
Fairmont Orchid
Waimea, Hawaii
www.dcaweb.org
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Website: www.doosanequipment.com

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Website: www.usbagging.com

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Don’t Miss the 25th Annual DCA Safety Congress

Don’t miss the 25th Annual Safety Congress, March 30 – April 1, 2020, at the Hyatt Regency, Austin, Texas. We are featuring an internationally recognized expert in Organizational Culture and Behavior and Human Performance, Dr. Todd Conklin. Todd will be speaking on Human Performance and Building Capacity for Failure Into our Work Practices. In addition, the presentation of the DCA Safety Director and Safety Person of the Year awards and a Capital Cruise to see the famous Austin bats are on the agenda. Co-chairs of the 2020 Safety Congress are Ken Crook, ARB and Caleb Scheve, Price Gregory. Registration and housing information are available on the DCA website.