

TEA-21 Federal Highway Plan Gets Extension

TEA-21 receives a two month extension on Thursday, February 26th, the House of Representatives passed a two month extension of TEA-21. The Senate will follow on Friday. The two month extension will keep the Federal Highway and Transit Programs operating at the current funding levels through April 30th. US Senate approved six-year 2004 Safe-Tea Highway Bill, the bill now goes to the US House.

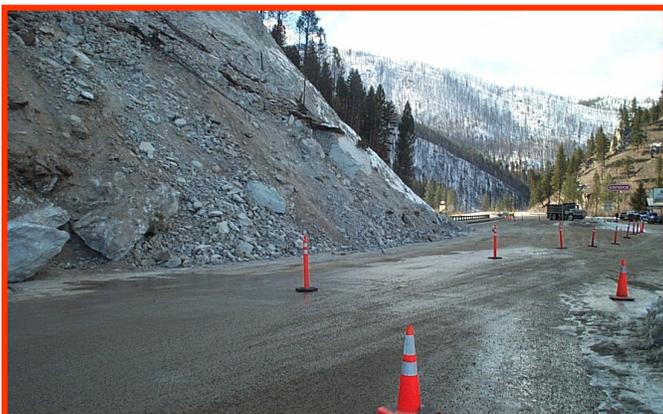
2004 UNDERGROUND STORAGE TANK TRAINING & TESTING

The Montana Department of Environmental Quality (DEQ) has scheduled refresher classes for underground storage tank installers, removers and inspectors on **April 14 and 15 in Helena**. At the same time, licensing tests will be offered.

The refresher class for installers will begin **Wednesday, April 14**, at 8:00am and go to 5:00pm. *Removers only* will be on **Thursday, April 15** at 1:00pm and go to 5:00pm. *The inspector refresher course* will begin **Thursday, April 14** at 8:00am and go to 5:00pm. Anyone who is currently licensed for underground storage tank work may attend the classes for continuing education credit. All new applicants must register and submit a \$100 fee to the MT DEQ, Waste and Underground Tank Bureau, P.O. Box 200901, Helena, MT, 59620-0901.

Classes will be held at DEQ Metcalf Building, 1520 6th Avenue, Helena. State law requires licensing of anyone who installs, closes, repairs, modifies or inspects underground storage tank systems.

More information is available from MT DEQ 406-444-1417 or at www.deq.state.mt.us. Call DBE Supportive Services for registration forms or complete details (800-883-5811).



Emergency bid project, Sula Slide, February 2004

Upcoming Dates

MDT Bid Letting Mar 25, 2004

MDT Invitation for Bids Mar 25, 2004

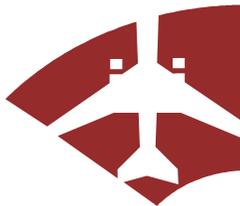
Montana DBE Conference Apr 12-13, 2004
(MDT—Helena)

Davis Bacon / Title-6 Training
Mar 31, 2004—Glendive
Apr 7, 2004—Billings

DBE Quarterly Activity Report
Due Apr 30, 2004

Form at: www.mdt.state.mt.us/civilrights/

EKALAKA AIRPORT IMPROVEMENTS PROJECT AIP 3-30-0025-003



**Bid Date: 1:00 P.M. Wednesday,
March 31, 2004**

Rehab Runway and Taxiways, Work includes Asphalt Cement, Crack Sealing, Permanent Runway & Taxiway Painting, Seeding, Topsoiling, Adjust Runway Light Fixtures, Relocate Lighted Signs

Copies of the plans and specs are on file at Carter County Courthouse or may be obtained by payment of fifty dollars (\$50.00) (non-refundable) to Kadrmias, Lee & Jackson, Inc., 3237 East Broadway, Bismarck, ND 58501 (701-355-8400 Kathy Schmidt).

* The overall Disadvantaged Business Enterprise (DBE) goal for on this project is 8.19%.

A **Pre-bid Conference** will be held **Tuesday, March 23, 2004, at 1:00PM, MST**, at the at the Carter County Courthouse, Courtroom, in Ekalaka.

DBE GOAL & PARTICIPATION...

(For Federal-Aid MDT Projects)

FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 5.12%

We are 1.17% below the yearly DBE Goal. Remind Contractors next time you are bidding. MDT has posted this information on the Contractor's System web page at

<http://www.mdt.state.mt.us/ctrct/contract.htm>



MONTANA DBE COMPANY MONTHLY UPDATE

New Certified DBE Companies

Air Specialists, Inc., Billings, MT Owner: Patrick Chapel
 Rockin JL Specialties, Saco, MT Owner: Lora L. Butler
 Moe's Best, Hot Springs, SD Owner: Cynthia Reed

Recently Re-Certified DBE Companies

ITS, Inc., Butte MT Owner: Phyllis Egan
 Northwest Archaeological Associates, Inc., Seattle, WA Owner: Christian J. Miss
 Economy Excavating & Landscaping, Missoula, MT Owner: David Yuhas

De-Certified DBE Companies

Premier Painting, Mills, WY Owner: Myrtle Julie Riddle

As Read MDT February 26, 2004 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars / %	
STPP 89-1(8)2/STPP-STPE 49-1(16)0 Dillon - NO. Montana St/Dillon - NE	Helena Sand & Gravel dba Blahnik	\$5,453,285	\$329,045	6.03%
IM 90-7(80)369 Boulder River - East	Riverside Contracting, Inc.	\$3,599,051		
NH 16-1(45)1 Main St - Billings HTS	Empire Sand & Gravel Company	\$1,732,222		
NH 1-7(35)398 Milk River Bridge - West of Chinook	Riverside Contracting, Inc.	\$2,884,747		
NH 99-1(7)18 29 KM North of Malta - North	Riverside Contracting, Inc.	\$1,348,345		
NH 14-4(19)138 Lavina - West	JTL Group, Inc. - Billings	\$933,099	\$97,893	10.49%
BR 306-1(11)1 Keyser CR - 2 KM W Columbus	Frontier-West, LLC	\$656,039	\$34,649	5.28%
IM-STPHS 90-3(94)135 Bearmouth - E & W	Jim Gilman Excavating, Inc.	\$828,102		
CM 1805(10) Montana & Rowe Rd - Butte	Hollow Contracting	\$620,068	\$84,435	13.62%
BR 9018(19) Rocky Coulee - 33 KM N of Cut Bank	Willow Creek Construction	\$373,479	\$373,479	100.00%
IM 0002(708) Statewide Parking Area Upgrade	Hall Construction Services	\$223,194		
IM 90-3(89)171 Bank Stabilization - Phosphate	Little Bear Construction Co, Inc.	\$39,841		
STPHS 5-3(84)99 2000-D1-Electrical	Montana Lines, Inc.	\$32,948	\$32,948	100.00%

Safety Pays...

The Dirty Dozen



We have recently received the most commonly cited “OSHA” violations for Construction. They are the following:

- 1926.50 (c)** Failed to have a person certified in First Aid on the job site.
- 1926.50 (f)** Failed to conspicuously post emergency phone numbers on job site.
- 1926.404 (f) (6)** Failed to provide a permanent continuous path to ground from circuits, equipment and enclosures.
- 1926.152 (a) (1)** Failed to use approved containers for storage of flammable and combustible liquids.
- 1926.404 (b) (1) (i)** Not having GFCI’s or an Assured Grounding Program.
- 1926.28 (a)** Not using personal protective equipment.
- 1926.416 (a) (1)** Failed to keep employee from working in proximity to energized circuits that could be accidentally contacted.
- 1926.59 (g) (1)** Failed to have or maintain Material Safety Data Sheets (MSDS).
- 1926.500 (e)(1)(iv)** Failed to equip stairs with guardrails.
- 1926.602 (a)(9)(i)** Failed to equip all bidirectional machines (rollers, compactors, front-end loaders, buss dozers, etc.) with horn distinguishable from surrounding noise level.
- 1926.500(d)(1)** Failed to provide rails or guarding on platforms/floors that subject worker to six foot or more fall.
- 1926.59(e)(1)** Failed to develop/implement written Hazard Communication Program.

If you received an “OSHA” inspection today, how many of the “DIRTY – DOZEN” would you be guilty of?

We have seen proposed construction penalties as high as \$50,000 with many of them in the \$5,000-\$10,000 range issued throughout the country. The re-emergence of high penalties indicates we have become lax about basic safety requirements. Check your jobsites today and avoid a high ticket penalty. There is no insurance that will cover these fines. It comes straight off the profit.

- Information cited from Construction Safety Talks, #41, September 29, 2003

**AGC Forms Available to DBE Companies
at
No Cost:**

AGC 655: Standard Form of Agreement between Contractor and Subcontractor (Where the Contractor and Subcontractor Share the Risk of Owner Payment)

AGC 670: Standard Form of Agreement Between Contractor and Subcontractor on Federal-Aid Highway Work

Call DBE Supportive Services and request your copy today at: 800-883-5811.



How to Evaluate a Bookkeeper *Before* You Hire

A simple 20-minute test may save you a lot of grief and money.

Need some help with hiring a qualified bookkeeper? You can evaluate the potential bookkeeper before you hire with a **FREE** bookkeeper’s hiring 20-minute test from the American Institute of Professional Bookkeepers. There are 10 questions on basic journal entries, adjusting entries, bank reconciliations, correction of accounting errors plus optional sections on payroll, depreciation, and inventory. The test is based on the national Certified Bookkeeper examination.

To receive this **FREE** Bookkeeper’s Hiring Test, call 800-622-0121, e-mail info@aipb.org, or www.aipb.org



INDEPENDENT CONTRACTORS

20 Common Law Rules

Employers who wish to classify a worker as an independent contractor should be aware of the 20 common-law rules used to determine proper worker classification.

1. Instructions. An employee must comply with instructions about when, where, and how to work. Even if no instructions are given, the control factor is present if the employer has the right to give instructions.
2. Training. Independent contractors ordinarily use their own methods and receive no training from the purchasers of their services.
3. Integration. An employee's services are integrated into the business operations because the services are important to the success or continuation of the business. This shows that the employee is subject to direction and control.
4. Services rendered personally. An employee renders services personally. This shows that the employer is interested in the methods as well as the results.
5. Hiring assistants. An employee works for an employer who hires, supervises, and pays assistants. An independent contractor hires, supervises, and pays assistants under a contract that requires him or her to provide materials and labor and to be responsible only for the result.
6. Continuing relationship. An employee has a continuing relationship with an employer. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals.
7. Set hours of work. An employee has set hours of work established by an employer. An independent contractor is the master of his or her own time.
8. Full-time work. An employee normally works full time for an employer. An independent contractor can work when and for whom he or she chooses.
9. Work done on premises. An employee works on the premises of an employer, or works on a route or at a location designated by an employer.
10. Order or sequence set. An employee must perform services in the order or sequence set by an employer. This shows that the employee is subject to direction and control.
11. Reports. An employee submits reports to an employer. This shows that the employee must account to the employer for his or her actions.
12. Payments. An employee is paid by the hour, week, or month. An independent contractor is paid by the job or on a straight commission.
13. Expenses. An employee's business and travel expenses are paid by an employer. This shows that the employee is subject to regulation and control.
14. Tools and materials. An employee is furnished significant tools, materials, and other equipment by an employer.
15. Investment. An independent contractor has a significant investment in the facilities he or she uses in performing services for someone else.
16. Profit or loss. An independent contractor can make a profit or suffer a loss.
17. Works for more than one person or firm. An independent contractor gives his or her services to two or more unrelated persons or firms at the same time.
18. Offers services to general public. An independent contractor makes his or her services available to the general public.
19. Right to fire. An employee can be fired by an employer. An independent contractor cannot be fired so long as he or she produces a result that meets the specifications of the contract.
20. Right to quit. An employee can quit his or her job at anytime without incurring liability. An independent contractor usually agrees to complete a specific job and is responsible for its satisfactory completion, or is legally obligated to make good for failure to complete it.

Because of the financial liability that may result from misclassifying an individual, if you have concern about the status of a worker, you should contact the workers' compensation carrier, the Montana Department of Revenue or the IRS for a ruling on the employee's status. Additional information can be found in IRS Circular E. If the employee is not eligible for independent contractor status, you may have to hire them or arrange for them to be payrolled through a temporary employment service.

- Jim Nys, Personnel Plus! Inc.

Newly Certified DBE Companies



Blaine Chapel, Patrick Chapel, Teri Noland, Roy Noland
Air Specialists, Inc., Billings, MT



Lora Butler, Rockin JL Specialties, Saco, MT

BLM/GSA Workshops, Feb 2004, Billings, MT



Jason Porch and Adam Steadman
Montana PTAC, Billings, MT



* FREE SERVICE *

If you are bidding on any government contracts, you need to contact MT PTAC. Call DBE Supportive Services (800-883-5811) for the closest PTAC office information.

Procurement Technical Assistance Program (PTAC), provides businesses with the marketing know-how and technical tools needed to put bids together, read solicitations, find contracting opportunities for all government agencies.

BLM & GSA Workshops in February...

BLM & GSA workshop information handout copies are available. Great handouts for contractors, call our office for a copy today.

BLM typical types of contracts are for gravel roads, earthen dams, recreation areas, bridges, radio towers, and fence. We have a packet of contract documents for BLM federal projects for your consideration —just ask for the packet.

Remember Montana PTAC can help you get your business on the GSA Schedule. Call Today!!

MDT Employees at Ft. Belknap Career Fair Feb 2004



Wally Mummey, Tom Nicholson— Havre Office

Quote of the Month

People forget how fast you did a job - but they remember how well you did it.

Howard Newton

MDT Highway Construction Projects Invitation for Bids, Letting of March 25, 2004

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on March 25, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **North of Stevensville Wye – Florence, Federal Aid Project NH 7-1(93)68F** Grading, gravel surfacing, plant mix bituminous surfacing, electrical, landscaping, four structures and improvements, 9.41 km on US 93 in Ravalli County. DBE contract goals are 3.5%.
2. **Forsyth – East & West (WB), Federal Aid Project IM 94-3(58)85** Mill, fill, plant mix bituminous surfacing, seal and cover on 29.85 km on Interstate 94 in Rosebud County. DBE contract goals are 2.0%.
3. **Wibaux – North & 14 km North of Wibaux – North, Federal Aid Project SFCS 261-1(6)0 & STPS 261-1(8)9** Plant mix overlay with seal and cover 4 km on Secondary 261 in Wibaux County. Grading, plant mix surfacing and seal and cover 7.3 km on Secondary 261 approximately 14km north of Wibaux.
4. **Shelby – North & South, Federal Aid Project IM 15-8(60)354** Cold milling, PMBS and seal & cover on 18.2 km of the Shelby I-15 in Toole County.
5. **13km South of Big Timer – South, State Project SFCS 298-1(10)8** Seal and cover and pavement markings on MT Secondary 298 in Sweet Grass County.
6. **Glendive South, Federal Aid Project STPS 335-1(14)0** Leveling, plant mix overlay, seal and cover on 13.1 km on State Secondary Route 335 in Dawson County.
7. **Hilger – East, Federal Aid Project STPP 43-1(24)15** Mill, fill, seal and cover, and pavement markings on 18.7 km of State Primary Route 43 in Fergus County.
8. **19th & Main – Bozeman 2000 – D2- Signing & Electrical, Federal Aid Project CM-STPP 50-2(37)88, STPHS 16(47) & STPHS 1299(21)** Grading, gravel surfacing, plant mix bituminous surfacing, storm drain, sewer line, intersection improvements and signals, sidewalk, curb and gutter, and signing. North 19th Avenue and Beall Street, and Willson Avenue and Olive Street.
9. **Whitetail Creek – Whitetail, Federal Aid Project BR 511-1(5)6** Construction of 24.0-meter pre-stressed concrete beam bridge, grading, surfacing, and seal and cover on Secondary 511 in Daniels County.
10. **Jct. Sec. 548- North, State Project SFCS 424-1(5)6** Cold milling, PMS overlay, and seal and cover on 12.41 km of the Jct. Sec. 548- North project in Flathead County.
11. **Frying Pan Gulch – 8 km North of Dillon, Federal Aid Project BR 81001(3)** Remove 20.1 m concrete structure and replace with double SSPPA culver in Beaverhead County. Includes grading, gravel and plant mix approaches.
12. **White Sulphur Springs – NW & Newlan Creek Road, Federal Aid Project STPS 360-1(4)0 & STPS 259-1(5)0** Guardrail and seal & cover on State Secondary Route 360 in White Sulphur Springs extending 14.4km in Meagher County.
13. **Townsend – East & Montana City – South, Federal Aid Project STPP 14-1(16)0 & STPS 282-1(7)0** Seal and cover on State Primary Route 14 in Broadwater County and at Montana City.
14. **4 km North of Columbus – North, State Project SFCS 306-1(12)2** Seal and cover and pavement markings on Montana Secondary 306 on 4km North of Columbus in Stillwater County.

*This is an excerpt from the article ‘**On Track with MDT**’, written by Dave Galt, Director of MDT, which appeared in the Montana Contractor News, January 2004.*

MDT is working to develop Site Manager, a system that will enable us to manage projects from pre-construction through final payment. Implementing online bidding through Bid Express will be key, as will adding modules such as DSS, a statistical analysis program. We will keep you apprised of our progress in 2004: developing these services will not only save both MDT and the contracting community time and money, but they will also provide analytical capabilities that were previously unavailable.

As we move forward, we'll need your input on how these services are working, and we'll be counting on you for honest feedback. Working together is the only way we can improve our bidding process and become more efficient—and that is key to staying “on track” with you, the future of MDT.

More MT Contracting Opportunities

Kalispell Armed Forces Reserve Center, DMA #300129, Bid Date: March 31, 2004, Bid documents available at A&E Architects, 406-721-5643.

Eden Bridge Replacement, Cascade County, MT, Bid Date: March 26, 2004, Demolition of existing Eden Bridge and construction of a new bulb-tee prestressed bridge. Bid documents are on file at County Commissioners office in Great Falls, Builders' Exchanges (Great Falls, Helena, Billings, Missoula), and Thomas, Dean & Hoskins 1200 25th Street, Great Falls (\$50.00 refundable per set).

Roof Repairs – Patch, Coat, Seal Various Buildings, Montana State University-Northern, Havre, MT, Bid Date: March 24, 2004, Bid documents available at Prairie Wind Architecture, Lewistown, MT 406-538-2201. Refundable deposit of \$75.00 per set. Pre-bid walkthrough is March 16th at 1:00pm.

Bozeman Wastewater Treatment Plant Improvements, Bid Date: March 30, 2004. Excavation, Trenching, Backfill, Roofing, Plumbing, Electrical. Minority Business Enterprise (MBE) Goal is 2% and Women business Enterprise (WBE) is 3%. Bid documents available at Morrison-Maierle, 910 Helena Avenue, Helena, MT 406-442-3050. Non-refundable deposit of \$80.00 per set. Bid Documents also available at City Engineer's office at 20 East Olive, Bozeman and other Morrison-Maierle offices, Plan Exchanges, Pre-bid conference on March 19th at 1:00pm at 255 Moss Bridge Road.

MT Dept of Transportation, 307069, Bridger Rest Area Maintenance, Bid Date: March 30, 2004

MT Dept of Transportation, 307071, Dupuyer Rest Area Maintenance, Bid Date: March 30, 2004

MT Dept of Transportation, 307068, Hathaway Rest Area Maintenance, Bid Date: March 19, 2004

MT Dept of Transportation, 307067, Flowing Wells Rest Area Maintenance, Bid Date: April 2, 2004

MT Dept of Transportation, 307082, Pavement Overlay 5 Miles west of Superior, Bid Date: Mar 18, 2004

MT Dept of Transportation, 307084, Jefferson City Rest Area Maintenance, Bid Date: Mar 30, 2004

MT Dept of Transportation, 307087, Grade 4A Chips North of Roundup, Bid Date: Mar 23, 2004

MT Dept of Transportation, 307088, Paver & Milling Machine Rental, Bid Date: Mar 17, 2004

<http://www.mdt.state.mt.us/bids/bids.htm>

Dept of Natural Resources and Conservation, 045340CSW, McGinnis Pipe Thinning, Tree thinning work, Bid Date: March 25, 2004 <http://www.discoveringmontana.com/doa/GSD/osbs/Default.asp>

Concrete Extension for GooseBay, 04SQ670018, Bid Date: March 22, 2004, Bureau of Reclamation. All work to provide a concrete extension for the Goose Bay Ramp at Canyon Ferry Reservoir at Townsend, MT. Tom Carrillo 406-247-7301.

<http://www1.epa.gov/spg/DOI/BR/BR/04SQ670018/listing.html>

Rock Creek Trail Bridge, Presolicitation RFQ-14-04-015, Bid Date: May 3, 2004, Kootenai National Forest, Libby, MT. Removal of the old trail bridge and replacement of a new trail bridge along the Rock Creek Trail. Judi Foss, 406-283-7640

r1_kootenai_contracting@fs.fed.us <http://www1.epa.gov/spg/USDA/FS/03J1/RFQ%2D14%2D04%2D015/listing.html>

Metal Roofing and Siding, Lewis and Clark National Forest, Presolicitation R1-15-04-10 Bid Date: April 30, 2004, Replace roofing and siding on 4 buildings & replace gutters and downspouts on 3 buildings. Jan Wenaas, 406 791-7717 or

jwenaas@fs.fed.us <http://www.epa.gov/spg/USDA/FS/03K0/R1-15-04-10/listing.html>

Engineering Services, RFP-244-04-0010-REL, Bid Date: Mar 26, 2004, Indian Health Services, Billings, MT, Conduct field surveys and engineering investigations necessary for completion of assigned construction projects.

IHS Contracting Office at (406) 247-7293 or RLangager@mail.ihs.gov

<http://www1.epa.gov/spg/HHS/IHS/IHSBILLINGS/RFP%2D244%2D04%2D0010%2DREL/listing.html>

Natural Resources Conservation Service (NCRS) Mass Media Campaign, General Services Division, RFP04-798J, Bid Date: Mar 31, 2004 <http://www.discoveringmontana.com/doa/GSD/osbs/Default.asp>

Montana Trucker's Handbook

The 4th edition of the Montana Trucker's Handbook is now available "on line" and in hard copy. The new edition includes updates and new requirements resulting from Montana's 2003 Legislative session, instructions and information about Montana and MDT services, phone numbers of interest to truck drivers and trucking companies, and a comprehensive gross vehicle weight fee chart.



The Handbook may be accessed electronically through the Motor Carrier Services (MCS) web page at www.mdt.state.mt.us/mcs

Hard copies are free and available at all MCS weigh stations, or by contacting MCS at 406-444-7638.

MONTANA DBE PROGRAM

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1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-
7592 www.mdt.state.mt.us and click on Civil Rights Bureau

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200 copies of this public document were published and distributed at an estimated cost of 49 cents per copy for a total of \$98.00 MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.



*DBE Supportive Services, Civil Rights Bureau
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001*

