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A Division of the WV State Building Trades, AFL-CIO | Chuck Parker, *President* | Dave Efaw, *Secretary-Treasurer* | Steve White, *Director*

## Fire Station Award Raises Concerns Among Workers

Members of the Upper Ohio Valley Building Trades Council are protesting the decision of the Bethlehem Volunteer Fire Department to use out-of-state contractors and labor to construct a new building.

Local workers say the decision hurts the community by sending taxpayer money out-of-state instead of putting the money back in local residents' pockets who helped pay for the new fire station.

Earlier this year, the Bethlehem Volunteer Fire Department (BVFD) hired an architect from Ohio who put out a request for bids on a new fire station for the town of Bethlehem, WV in Ohio county.

Salesville Builders LLC from Ohio was the low bidder at \$1,210,367. The BVFD Board of Directors selected Salesville and broke ground on May 1st.

"We believe the next bidder was one that uses all local workers and local subs and was at \$1,307,115," said Eran Molz, President of the Upper Ohio Valley Building Trades.

But Molz has yet to see the bids nor any supporting documents such

as the required list of subcontractors, proof of drug testing and safety training, or WV Jobs Act compliance. In order to get these details he has filed a Freedom of Information Request.

According to the BVFD Facebook page they received bids from three un-named local General Contractors

but decided to go with the Saleville from Ohio which they said was recommended to them.

The BVFD did not disclose who recommended the contractor.

In addition, the page referenced what appeared to be an incomplete list of subcontractors, which raised

questions about the bidding process among local workers.

"They listed a few subs, most from out-of-state," said Doug Giffin, Organizer for IBEW Local 141.

"But they were silent on the major subs, like electrical, plumbing, roof-

**Cont. on p. 4>>**



Members of IBEW Local 141 protest in early June about the use of out-of-state contractors and workers at the Bethlehem Volunteer Fire Departments new building.

## WV Legislature Holds Second Legislative Special Session of 2021, More Planned

In June, the WV Legislature held their second special legislative session of 2021.

Lawmakers spent \$250 million made available through a 2021 budget surplus.

The funds were spent on over 20 different initiatives from upgrades to state facilities to the promotion of tourism.

Of these initiatives, some of the most interesting to the construc-

tion industry include: \$42 million to the Division of Natural Resources (DNR) for upgrades to state parks; \$15 million for renovations and repairs at Anthony Correctional Center in Greenbrier County; \$2.1 mil-

lion to the Division of Culture and History for HVAC and electrical repairs at their museum in Charleston; \$2 million for renovations and improvements to the WV Tax Divi-

**Cont. on p. 3>>**

# Accused of \$20 Million Wage Theft Contractor Suspended from Bidding in PA Given OK to Bid on WV Highway Projects

Even though the Pennsylvania Department of Transportation recently suspended Glenn O. Hawbaker, Inc. from bidding projects in Pennsylvania, nothing was done to stop them from bidding in West Virginia.

According to a 'Notice of Suspension' sent to road contractor Glenn O. Hawbaker, Inc. (GOH) on April 19 by the PA Department of Transportation (PENDING DOT), the company was "temporarily suspended from contracting with, bidding on or participating in the award of contracts, for Commonwealth of Pennsylvania supervised or funded highway construction work."

The Notice was sent after the PA Office of the Attorney General filed a complaint on April 8 before a Magisterial Judge in Centre County, PA, announcing criminal charges against GOH. The charges allege \$20 million in wage theft relating to the Pennsylvania Prevailing Wage Act and the federal Davis-Bacon Act over a four-year period.

In June ACT learned about the suspension and viewed the WV DOT list of pre-qualified contracts to find GOH was there.

Steve White, Director of the Affiliated Construction Trades, brought this issue to the attention of Byrd White, the WV Commissioner of Transportation, in a June 15 email. White argued the company should not be permitted to do business in West Virginia while they are suspended from doing so in Pennsylvania.

"Preventing GOH bids and awards would be a sound policy for a number of reasons," wrote White.

"If a company is not allowed to bid in a neighboring state (or any state), I believe they should not be allowed to bid in our state until the issue is resolved."

White explained if the allegations are true then the financial viability of the company could be in jeopardy, leading to serious potential problems for the Division of Transportation.

In addition, since GOH has not yet been awarded a contract in WV to date, denying them access now that they are suspended would not lessen competition in the bidding

process on public projects.

Finally, if the allegations are true, then WV would be allowing a criminal entity to do business in our state.

White pointed out the contractor's pre-qualification application has no questions asking if a com-

pany is or has ever been suspended by another governmental body and suggested they be added.

Since that time GOH, based in State College PA, won a temporary victory removing the PA suspension.

Upon receiving the Notice of Suspension, GOH went to court requesting a preliminary injunction, claiming PENDING DOT had violated their rights by suspending them without a hearing.

The preliminary injunction was granted on or about July 1 meaning GOH has been allowed to continue bidding on DOT contracts in Pennsylvania.

However it is believed the injunction was based on procedural issues and it is anticipated that PENDING DOT will soon renew their efforts to suspend GOH.

White again wrote to WVDOT Commissioner Byrd White on July 9 informing him of the injunction.

"Since Glenn O. Hawbaker Inc. is no longer suspended from bidding by PENDING DOT my request for WV to follow the suspension is moot... I do believe the WVDOT and DOH should consider including questions on the pre-qualification application and renewal regarding any suspensions or debarments in other jurisdictions.

In addition I think it is prudent to have a policy which states if a contractor is suspended or debarred in another jurisdiction they shall be suspended or debarred in WV until their issue is resolved."

White attached a copy of PENDING DOT's pre-qualification application which included the questions he suggested.

The discovery that GOH was suspended in PA but not in WV has raised concerns and questions from local workers.

"If a company is legally blocked from bidding in Pennsylvania, or any other state, why should we let them bid here?" asked Jessie King, Business Manager for the WV Laborers District Council. "Pennsylvania screens contractors to weed out bad actors, WV should do the same."

The underlying case had a pre-trial hearing on July 16 to hear evidence surrounding the case. ■

**"Pennsylvania screens contractors to weed out bad actors, WV should do the same."**

**Jessie King**

*Business Manager  
WV Laborers District Council*

## Charleston Building Trades Welcomes New Business Manager



Outgoing Charleston Building Trades Business Manager Paul Breedlove (right) welcomes incoming Business Manager Fred Chandler to his new office.

Chandler, a member of Plumbers and Pipefitters Local 625, replaced Breedlove on July 1st. Breedlove is leaving his post after seven years of service, as he was recently elected to be the new Business Manager for Plumbers and Pipefitters Local 625, Charleston.

"I'm honored to be here and excited to get to work," said Chandler.

# Severe Shortage West Virginia American Red Cross in Dire Need of Blood Donors

The West Virginia American Red Cross is facing a severe blood donation shortage due to an unprecedented number of blood drive cancellations over the past year because of the COVID-19 pandemic.

The Red Cross is actively looking for healthy individuals to donate blood and platelets to help many patients in need.

Labor organizations and members have long worked with the Red Cross to help meet community needs.

One example is Christopher Montgomery, a retired Millwright from Parkersburg Local 443.

Montgomery explains he gives frequently due to the dire need for blood donors across the country. “I’ve always been a blood donor,” said Montgomery. “I’ve even donated in Wisconsin and South Carolina while out of town working.”

According to their website, the Red Cross is following FDA blood donation guidelines when it comes to donor eligibility for those who have received a coronavirus vaccination.

For health and safety reasons, all individuals who have received a COVID-19 shot must disclose the manufacturer of their vaccine prior

to donating blood.

In addition, whole blood donors must be at least 16 years old while platelet donors must be at least 17.

However, for both types, individuals must weigh at least 110 pounds and be in good health with no symptoms of any illness on the day of their donation appointment.

For those wishing to give more than once, individuals may donate whole blood every 56 days, but platelet donations can occur even more frequently.

“Now I’ve started donating platelets which can be given every seven

days, and they have a shelf life of five days,” said Montgomery. “When I make a donation appointment, the Red Cross already knows where the platelets are headed.”

Montgomery went on to explain one of the locations that received his platelets was WVU Medicine’s Hospital for Children.

“I just emailed them telling them how blessed I felt to help a child,” said Montgomery.

For more information about blood donation, or to schedule a donation appointment, log on to [www.redcross.org/local/west-virginia](http://www.redcross.org/local/west-virginia). ■

## WV Legislature

*Continued from Page 1*

sion Offices in Charleston; and \$17.5 million towards building a flood wall in Milton, WV.

According to the DNR, the major improvements to state parks include six lodge renovation projects, 350 cabin remodels, 300 campsite upgrades, five new wastewater treatment plants, 12.5 miles of new water lines, one new rail trail on the Elk River, and new bath houses at every state park.

New and upgraded campsites will be built at Cass Scenic Railroad State Park, Lost River State Park, Cacapon Resort State Park, Coopers Rock State Forest, and Kanawha State Forest.

Additionally, 20 new cabins at Coopers Rock State Forest, 25 new treehouse cabins at Beech Fork State Park, and new parking lots at Blackwater Falls State Park and Cacapon Resort State Park are planned.

Representatives from the DNR say a six-month period is needed for engineer and architect selection and design work, meaning early 2022 for contractor bids.

The \$17.5 million for the Milton Flood Wall is part of a much larger effort to raise \$140 million.

According to Senator Bob Plym-

ale (D-Wayne) the project coming to fruition has been a long process of trying to secure the funding.

Federal dollars were originally made available for the project in 2018, after over a decade of planning and requests for assistance.

These federal dollars were granted on the condition that the state of West Virginia match 1/3 of the total federal funds allocated to the project for a total of \$140 million.

According to Delegate Daniel Linville (R-Cabell) part of the funds were secured in late 2019, with Linville and Delegate Sean Hornbuckle (D-Cabell) working alongside Plymale to lead a bipartisan effort to acquire the first of the state dollars to go toward the federal match.

With this additional \$17.5 million from the 2021 budget surplus, the state is well on its way to reaching its contribution goal.

“This project is going to serve a significant public good,” said Linville. “We want to make the case to ensure as many state dollars as possible go back into the state’s economy and the pockets of West Virginia workers.”

Linville explained he expects to see a request for bids go out in late

August or September of this year and for ground to be broken on the project in January 2022.

The project is currently expected to be completed by 2024.

Also, lawmakers passed a non-binding resolution asking the federal government to give West Virginia \$8 billion dollars for a much-needed mine reclamation initiative, which

would help redevelop forfeited coal mining sites across the state.

Leaders say the ‘Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More’ will help struggling coal communities, workers, and their families who have been severely impacted by the abandonment of coal operations around the state. ■



Senator Glenn Jeffries (D-Putnam) reviews documents during the Second Special Legislative Session held in Charleston on June 8.



## Five Different Competitions

# Operating Engineers Local 132 Holds 8th Annual Equipment Rodeo Event

Operating Engineers Local 132 held their eighth annual Equipment Rodeo at their Medina training center in June.

Approximately 400 members and their families attended the eighth an-

nual Equipment Rodeo on Sunday, June 27th, hosted by Local 132.

In addition to the competition a fishing competition was held for kids along with games and food for all.

Members took turns at five dif-

ferent competitions – using a dozer, rubber tire backhoe, cherry picker, excavator, and a mini excavator.

“It’s a chance for members to get

together, show off their skills, get to know new members and reconnect with old,” said Chuck Parker, Business Manager of Local 132. ■



Members of Operating Engineers Local 132 show off their skills in five types of heavy equipment competitions held at their Medina apprenticeship and training center in Jackson County.

## Fire Station Award

**Continued from Page 1**

ing, HVAC and masonry so we wonder who got these jobs.”

Members of IBEW Local 141 were so upset they were denied the jobs they protested outside of the BVFD offices in mid-June.

“We want to know if the process was handled correctly, and we are going to look at all the information to make sure it was done the right way,” said Giffin. “Local tax dollars should go to local workers, and we want to know why our members were left out in the cold.”

The protest led to numerous radio interviews on the topic of using local workers. “We have gotten a great response,” said Giffin. “People want lo-

cal workers and contractors to benefit from their local funds, not imported workers from far away who take their paychecks out of the community.”

Molz and Giffin are waiting to get the requested bid documents to see if state law was followed during the bid and during construction.

“Instead of putting the money back in the pockets of local residents and workers, who helped pay for the new fire station, they are sending our taxpayer money out-of-state,” said Molz. “We’re asked daily for donations by organizations like this, and all we’re asking is that they give us a fair chance on these types of projects.” ■

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## Boilermakers Local 667 Members Volunteer



Boilermakers Local 667 volunteers (from left) Larry Easter, Kirt Tabor, Charles Jones, Zack Skiles, John Paulousky, Larry (Hoss Cat) Thomas, Ben Matthews, Joe Kelley, Melvin (Pockets) Smith, (not pictured Jason Landis and Ben Beckett) stand in front of new playground equipment they assembled and installed at the Fairplain Elementary School in Jackson County. The group of journeymen, apprentices and retirees undertook the effort on June 25 and 26.