December 4, 2020

Items included in this ACEC Missouri Weekly Update are listed below.

- **Industry News** (ACEC Action Alert: Call for Essential Changes to the Paycheck Protection Program; Missouri Clean Water Commission Notice of Open Meeting; Judge Tosses Out Administration’s H-1B Visa Rules; ACEC Engineering Influence Podcast: Engineering and Nature with the Engineering Change Lab)

- **COVID-19 News** (ACEC Calls for Withdrawal of PPP Loan Necessity Questionnaire; Push to Stop COVID-19 Lawsuits Will Continue in January; Updated ACEC Coronavirus Document Available)

- **Notable Events** (FYI...More Upcoming Free Webinars; ACEC/MO Winter Meeting & Awards Ceremony - We’re Going Virtual; Registration is Open for ACEC/MO’s 2021 Future Leaders Academy)

- **Member Information & Calendar** (HDR Receives “Honor Award” During ACEC National Engineering Excellence Awards Gala; Member Firms Ranked in Building Design & Construction Magazine’s Top 75 Engineering Firms for 2020; QBS Award Nominations Due December 31st; Member News; Calendar of Events)

If there is something you would like us to include in the weekly updates, or if you need anything else, please contact the ACEC/MO staff: Morgan Mundell, Bruce Wylie, or Dawn Hill. We would love to hear from you!

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**INDUSTRY NEWS**

**ACEC Action Alert: Call for Essential Changes to the Paycheck Protection Program**

Urge your Congressional delegation to make important changes to PPP loans in legislation before the end of 2020. The CARES Act included language explicitly stating that any portion of a PPP loan that qualified for loan forgiveness “shall be excluded from gross income” for tax purposes. Unfortunately, the IRS contradicted congressional intent in Notice 2020-32 by ruling that expenses covered by PPP loan forgiveness are not tax-deductible. Notably, the IRS ruling was released several weeks after most PPP borrowers submitted their applications and signed their loan agreements.

Legislation is pending in the House and Senate to overturn the IRS decision and ensure the deductibility of covered expenses. ACEC is actively participating in a broad coalition of groups to support the change. In addition, a provision of the Federal Acquisition Regulation (FAR) for government contractors could further negate any benefit from the PPP loan. The FAR credits clause (FAR 31.201-5) could require a firm contracting with the government to calculate a credit to their indirect costs for the allocable portion of the forgiven PPP loan. The firm would be billing at a much lower rate the following year – and potentially in subsequent years, in the case of
multi-year contracts. ACEC is seeking clarification that the FAR credits clause does not apply to forgiven PPP loans.

Log in here to open a sample email, which you can personalize with firm-specific information and details about how the tax treatment and potential credit for forgiven PPP loans will impact your business. You can also send the sample letter without changes. Click on the lawmaker’s name to edit the message.

Missouri Clean Water Commission Notice of Open Meeting

The Missouri Clean Water Commission will meet at 10 am on January 7, 2021, via Webex and call-in only. Information on how to join the meeting remotely is listed below.

**Join Webex Meeting**
Enter the event password: CWC
Click "Join Now".
Follow the instructions that appear on your screen to join the teleconference.
-or-
Call-in toll number (US/Canada): 1-650-479-3207
Access code: 177 500 1198

People with disabilities requiring special services or accommodations to attend the meeting may make arrangements by calling the commission’s secretary at 573-751-6721 or 800-361-4827. They also may write two weeks in advance of the meeting to the following address: Department of Natural Resources, Missouri Clean Water Commission, Attn: Krista Welschmeyer, P.O. Box 176, Jefferson City, MO 65102. Hearing impaired individuals may contact the program through Relay Missouri at 1-800-735-2966

Judge Tosses Out Administration’s H-1B Visa Rules

A federal judge has thrown out the Department of Labor and Department of Homeland Security H-1B visa rules issued in September. The Administration could choose to appeal the ruling. In September, the Department of Labor and the Department of Homeland Security issued three rules designed to limit the use of H-1B visas. The rules would:

- Substantially increase the prevailing wage rates that must be paid to H-1B visa holders
- Narrow the definition of ‘specialty occupations’ that are eligible for H-1B visas
- Eliminate the H-1B visa lottery and instead allocate the visas starting with the highest-paying jobs

ACEC submitted comments in opposition to the rules, and a number of organizations filed lawsuits to block the rules. Although the incoming Biden Administration has significantly different views on a variety of immigration policies, such as DACA and asylum, there are mixed signals on H-1B visas. President-elect Biden supports increasing the number of H-1B visas, which ACEC has advocated for years. There are also indications that the incoming Administration may support higher prevailing wages for H-1B visa holders.

ACEC will engage with the Biden Administration on H-1B visa policy to ensure that engineering firms have access to the talent they need.
ACEC Engineering Influence Podcast: Engineering and Nature with the Engineering Change Lab

On the latest ACEC Engineering Influence podcast, the welcomed back Mike McMeekin with the Engineering Change Lab to discuss the intersection of engineering and the environment with guest Jennifer Molnar, Lead Scientist & Managing Director, Center for Sustainability Science, The Nature Conservancy. To listen to the podcast, click [here](#).

COVID-19 NEWS

ACEC Calls for Withdrawal of PPP Loan Necessity Questionnaire

ACEC is urging the Trump Administration to withdraw SB 3509, the Paycheck Protection Program (PPP) Loan Necessity Questionnaire, asserting that it changes the original criteria for loan forgiveness. When applying for PPP loans, engineering firms and other businesses were asked to certify that “uncertainty of current economic conditions makes necessary the loan request to support the ongoing operations of the eligible recipient.”

The questionnaire, which must be submitted by borrowers with PPP loans of more than $2 million, appears to evaluate economic uncertainty by looking at the loan recipient’s performance during the months after receipt of the loan. Additionally, the questionnaire requests the amount of cash and cash equivalents in the quarter prior to the loan application, as well as information about executive compensation, dividends, and capital projects. This information was not required when firms submitted PPP loan applications.

“The CARES Act does not state that loan forgiveness will be based on the economic performance of the borrower following application for a PPP loan,” ACEC President and CEO Linda Bauer Darr wrote in a letter to U.S. Treasury Secretary Steve Mnuchin and Small Business Administration Administrator Jovita Carranza. “In designing the PPP, Congress clearly intended that employers that retained their employees would be eligible for loan forgiveness,” Darr wrote. “ACEC members that took out PPP loans in good faith have done their part. The questionnaire upends this premise by adding loan forgiveness criteria after the loan documents were signed.”

Click [here](#) to read the letter.

Push to Stop COVID-19 Lawsuits Will Continue in January

*by Missouri Chamber of Commerce & Industry*

Lawmakers have begun discussions toward shielding employers from opportunistic COVID-19 lawsuits - all while it is now clear that Missouri will have to wait until January for progress on this critical issue. A Missouri Senate committee jump-started discussions on December 1 by holding a hearing on the need to shield businesses, schools and health facilities from the growing threat of COVID-19 litigation.

Since March, more than 1,000 COVID-19 lawsuits have been filed against employers across the nation. In response, many states - including all but one of Missouri's neighboring states - have enacted some form of protection against lawsuits. Meanwhile, Missouri employers remain completely exposed. Sen. Ed Emery of Lamar had filed legislation to bring these important protections to Missouri. Never before have we ever even implied that if you enter a business and you catch a disease, that it was the business's fault that you caught that disease [...] 

To read the full article from Missouri Chamber of Commerce, click [here](#).
Updated ACEC Coronavirus Document Available

ACEC recently updated their Coronavirus Resource Document. It includes information on COVID-19 Related News & Advocacy Resources; Global Snapshot; U.S. COVID-19 Statistics; and Regional COVID-19 Statistics. The document includes links the below items as well. To see this detailed document, click HERE.

- The Last Word
- ACEC Action Alert: Call for Essential Changes to the Paycheck Protection Program
- Pfizer slashes vaccine roll-out target
- California locks down for 3 weeks
- Pfizer not sure if people can transmit virus after vaccination
- Delta launches effort to improve contract tracing
- Employment growth slows sharply
- COVID returns to Miami, Las Vegas, and Phoenix
- Biden to ask Americans to wear masks in first 100 days
- Newest hotel amenity – virus scrubbed air

NOTABLE EVENTS

FYI...More Upcoming Free Webinars

Below is a list of upcoming FREE webinars provided by other companies. Click on the links below for more information and to register for the webinars.

Purpose of Place and the Workplace Ecosystems of the Future
Tuesday, December 8, 2020 at 9:00 AM
The current global economic and health situations have caused workers and businesses to reconsider how and where work gets done. How often does one use their office? How does the office of the future look different? How much space is required to maximize business performance? Real estate experts around the globe are faced with difficult challenges and the ultimate question: how do you find the right balance? On this webinar, our expert panel will discuss: 1) The historical and future role of the office; 2) The impact of in-office and remote work on productivity, collaboration / innovation, corporate culture and employee experience; 3) The importance of walkable places; 4) Workplace ecosystems of the future.

Interstate-49 Missouri-Arkansas Connector: A Roundtable Discussion on Alternative Technical Concepts
Thursday, December 10, 2020 at 10:30 AM
Learn more about Alternative Technical Concepts and how they can inspire innovation and reduce transportation project costs. Key topics included in the webinar are 1) Pros and cons of alternative technical concept approach; 2) When and where to use alternative technical concepts; and 3) How to encourage value engineering during construction. Panelists for the program are from Bartlett & West, Inc.; Emery Sapp & Sons; and Missouri Department of Transportation.
ACEC/MO's Winter Meeting & Awards Ceremony was previously scheduled for February 5-6, 2021 in Chesterfield. We made the difficult decision to go virtual with the meeting and also changed the dates to February 11-12, 2021. Our Programs & Seminars Committee is working to finalize programming for the meeting and as soon as we have everything confirmed, we'll send out registration information. The meeting will include our quarterly Board of Directors / Membership Meeting; FLA Graduates Get-Together; Critical Business Issues Roundtable; multiple business practice seminars; keynote speaker; and a networking happy hour. We will conclude our meeting with our Awards Ceremony where we will recognize firms for Distinguished Service Awards, Engineering Excellence Awards and QBS Awards.

Please put February 11-12, 2021 on your calendar and plan to join us for an outstanding virtual event. Be on the lookout for registration information coming soon!

Registration is Open for ACEC/MO’s 2021 Future Leaders Academy

Does your firm have a candidate for ACEC/MO’s 2021 Future Leaders Academy (FLA)? Registration for the 12th Annual FLA program is now open. The dates for the 2021 FLA program are set for May 4-5 in Jefferson City; June 2-3 in St. Louis; and July 6-7 in Independence.

The FLA is an extensive leadership program for young leaders in private consulting firms committed to developing their leadership abilities. The program is most beneficial to those participants with approximately 8-15 years of industry experience. These highly interactive sessions are taught by experts in the field of business administration and people management in professional service firms.

Registration information was recently emailed out and is posted on our website. To register for the 2021 FLA Program, click on the "Register Now for ACEC/MO's 2021 Future Leaders Academy" link below. If you want a spot in the 2021 class, please send in your registration form or contact Dawn Hill at 573-634-4080 or DawnHill@acecmo.org.

Register Now for ACEC/MO's 2021 Future Leaders Academy

MEMBER INFORMATION & CALENDAR

HDR Receives “Honor Award” During ACEC National Engineering Excellence Awards Gala

ACEC Missouri is excited to announce that HDR, Inc. received an Honor Award during ACEC’s Engineering Excellence Awards Gala held virtually on December 1st. HDR, Inc. also won a Grand Award in ACEC Missouri’s 2020 EEA Competition.

Their project, “Popular Street Bridge Widening and Rehabilitation,” was one of top 36 projects in the country. Out of over 200 entries, 16 Honor Award winners, including HDR, Inc. was named along with 20 projects receiving Grand Awards.

Congratulations to HDR, Inc. on this honor recognizing their exceptional engineering achievements.
Member Firms Ranked in Building Design & Construction Magazine's Top 75 Engineering Firms for 2020

Multiple ACEC/MO member firms have the honor of being ranked as the nation's largest engineering firms for nonresidential buildings and multifamily buildings work, as reported in Building Design+Construction's 2020 Giants 400 Report. Some offices are headquartered in Missouri (italicized) and some offices are branch offices in Missouri. Below is the list of firms and their rankings. Congratulations to all member firms that made the list!

1 - WSP  
2 - Terracon Consultants, Inc.  
5 - IMEG Corp.  
12 - Olsson  
13 - Walter P Moore  
41 - Black & Veatch

QBS Award Nominations Due December 31st

The ACEC/MO QBS Award was established to recognize outstanding support of the Qualifications-Based Selection procedures. The contributions can be made in many forms but must embody a commitment to and support and promotion of QBS. ACEC/MO gives an annual award in the categories of government and non-government. If you work with a public or private client that uses or has converted to the QBS method, go to our website for a nomination form if you want to submit them for an award. The deadline to submit a nomination form is December 31, 2020. The award will be given at ACEC/MO’s Winter Meeting Awards Ceremony on February 12, 2021 in Chesterfield.

Member News

HR Green, Inc. is pleased to announce that Andi Schumann, PE was awarded the Missouri Chapter Young Professional Leader of the Year! The award recognizes APWA members who have demonstrated an initial commitment to the profession and the Association and display potential for future growth within the Association.

Ross & Baruzzini, Inc. announced the following: Elizabeth Graff, LEED GA, was named as director of business development for its Midwest region, which includes key markets in Missouri and Illinois; and Steven Jones joined the firm as Senior Fire Protection Designer to their St. Louis team and he brings nearly 20 years of design experience.

Calendar of Events

February 11-12, 2021 (NEW DATES) -- ACEC/MO Winter Meeting & Awards Ceremony  
April 25-28, 2021 -- ACEC Annual Convention & Legislative Summit, Washington, DC  
May 4-5, 2021 -- ACEC/MO Future Leaders Academy, Jefferson City  
June 2-3, 2021 -- ACEC/MO Future Leaders Academy, St. Louis  
July 6-7, 2021 -- ACEC/MO Future Leaders Academy, Independence  
August 23, 2021 -- ACEC/MO 5th Annual ACEC/PAC Golf Tournament, Columbia  
August 27, 2021 -- ACEC/MO Summer Meeting  
November 13, 2021 -- ACEC/MO Fall Meeting

Newly added events are italicized. To see a complete calendar of events, go to ACEC/MO's website.