

# Bulletin

Volume 6 Issue 1

Atlanta Meeting a Great Success!

## Purpose

The purpose of the Academy is to provide recognition to past and present industry leaders for their personal contributions to the engineering and construction industry.



## Contents

- From the President..... 2
- From the Past President..... 4
- Atlanta Meeting Cont'd ..... 5
- Ted C. Kennedy Medal..... 6
- Silent Auction Results ..... 7
- New Inductees ..... 8
- New Member Selection ..... 11
- Forum Report ..... 12
- NAC Bylaws..... 14
- Kudos!..... 18
- Spotlight on Spouses ..... 19
- Spousal Involvement ..... 21
- 2012 Annual Meeting ..... 22
- NAC Executive Committee/  
Ad Hoc Committees..... 23

The NAC Annual Meeting held in Atlanta this October was a great success, with many new and exciting events on this year's agenda! Along with the Academy's first ever Silent Auction, which will be highlighted further in this Bulletin, the first recipient of the newly established Ted C. Kennedy Award was announced at a formal dinner on Wednesday night. Additionally, numerous outings located near Atlanta's historic Grant Park were attended, which included tours of the Botanical Gardens and Georgia Aquarium, as well as a visit to the historic Cyclorama and Civil War Museum. A recognition dinner honoring various members and their achievements this past year was also held on Friday night.

## From the President



Dave Nash  
2012 NAC President

I would like to thank you all for this opportunity to be the President of the National Academy of Construction. Our organization is at a crucial watershed and my hope is to be the facilitator that helps us set the course for the next plateau. NAC is a highly respected organization that has very successfully grown from its early creation by a small group of our distinguished colleagues to today where it is a solid group of the best of the construction industry. Over the years we have been well supported by Richard Tucker and his excellent team and we have been well lead by those that preceded me in this position. My challenge is to keep the positive momentum we current possess and help us begin the journey to whatever is next for NAC.

Our members seem to be aligned with one of two distinct views of where the organization should be headed. There are those members who feel that this should remain an honorific organization where we enjoy the collegial aspects of being part of a special cadre of leaders in the construction industry. Other members appreciate the honorific aspects of NAC but would like to contribute to the Industry and the Nation by applying their leadership, experience and time to finding solutions to the myriad challenges they see. My intent is, with the help of all, to find a way ahead that satisfies both views and will enable us continue to grow and define our future as an organization.

So I believe 2012 will be a transitional and growth year that will have its unique challenges. We are in the first year of implementing the NAC Strategic Plan which will be challenging to set in motion. As a result, we will be experiencing a budget expansion while being committed to maintaining a modest dues structure. That will take some creative effort but, under John Lamberson's leadership, the Development Group has generated twice as much funding from voluntary contributions and a Silent Auction in 2011 as was generated from member dues. We anticipate that other funds will be added to the NAC Endowment from life memberships and other sources.

The 2011 Annual Meeting in Atlanta was superb, but the 2012 Annual Meeting in Puerto Rico will be a different challenge. It will be our first meeting outside the continental United States, our first meeting at a resort area instead of a downtown hotel and, hopefully our first meeting with expanded social activities. J.J. Suarez has negotiated preliminary rates that look promising. I thank J.J. for taking on the challenge of this new type of venue and am sure it will be a great meeting for all.

We are also focused on expanding our spousal involvement in 2012. We have emphasized spousal involvement as part of our "collegial" mission since NAC's formation, but have now incorporated it firmly in our Strategic Plan. I have taken the action of appointing the first Spousal Involvement Committee to brainstorm and develop ideas for an initial effort. The first committee will consist of Shirley Tucker (chair), Ginger Suarez, Rivanna Crew and Sherry Schroeder, all of whom have been selected for specific reasons. Shirley is obviously close to Richard for

communications purposes, as is Ginger to J.J. who will chair the 2012 Annual Meeting in Puerto Rico. Rivanna is in Austin and able to meet with Shirley and Sherry has regular contact with the other members.

I've asked the Spousal Involvement Committee to address two areas: the Annual Meeting and activities in between meetings. They will welcome any ideas and inputs you or your spouse might have so please contribute your thoughts. We are aware that most of our members have dedicated years of industry service, and have had to make personal sacrifices in attention to their spouses and families. We feel that NAC can provide an avenue for spousal involvement to allow sharing of the collegial experience.

The NAC Forum Committee, chaired by Jimmy Slaughter and Jim Porter, had a highly successful Forum in Virginia this November. This Forum is an excellent demonstration of how NAC can contribute and make a real difference. As an aside, this Forum not only helped find pathways to industry and national solutions but it gave us many ideas for potential future opportunities for NAC to lead or participate in forums on similar issues.

And, of course, we look forward to the 2012 Class of new members. The Membership Committee held its first conference call on December 14, 2011 to begin the process of refining the list of over 190 Prospects down to 50 or so Candidates. We are blessed with a strong cadre of candidates again this year. The committee will then hold another meeting in January 2012, to further refine the list of candidates and then begin the final Nomination process. We will eventually have about a list of about 30 Nominees for the membership to elect 14 new members to be initiated in October 2012. Our membership will continue to grow as our elite group of colleagues representing the best of all sectors of our great industry.

In closing, the future is bright albeit maybe a little different. This is a great organization with superb members who have contributed much to our industry and our nation. It is a great honor to be a part of such a prestigious group and particularly to have been elected as your President. Please feel free to contact me with your concerns, your ideas and your recommendations.

I look forward to 2012 for NAC with great expectation and I hope you share my enthusiasm for this organization and its positive future.

Dave Nash

## From the Past President

As the outgoing 2011 President of National Academy of Construction (NAC), I would like to acknowledge, applaud and thank the hard work done by everyone this past year. Every committee made a significant contribution to move the Academy forward during 2011 - I'd just like to highlight some of the key accomplishments:

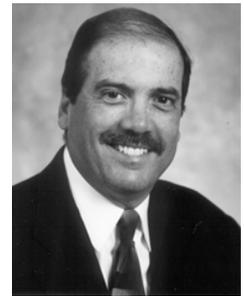
- Inducted our largest class to date
- Completed the new Strategic Plan and began implementing some of its key elements
- Established the Communications Committee
- Implemented the Ted Kennedy Award, embodying the lifelong contributions of Ted, its first recipient
- Grew our finances, including a record number of Life Members of voluntary contributions
- Conducted our first silent auction, with lively hospitality room and Recognition Dinner participation
- Began the revision of our by-laws
- Conducted our third National Forum

Looking forward to new challenges as Chairman of the Annual Meeting Committee for 2012 fills me with renewed excitement. At this point, venue options are the enchanting island of Puerto Rico or the beautiful picture perfect setting of Scottsdale. We are currently evaluating proposals from several resorts in each area and will let you know as soon as possible of the final decision. In the meantime, please mark your calendar for next year's Annual Meeting scheduled for October 24-26, 2012.

Finally, thank you all again for allowing me the privilege to serve as your 2011 President. I am looking forward to continue working under the world-class leadership of our new President Dave Nash. Please join me in congratulating Dave and the 2012 slate of committee leaders.

Best wishes to you and your family for a new year full of achievements and new opportunities!

JJ Suárez



JJ Suárez  
2011 NAC President

The highlight of the Annual Meeting was the New Member Induction Dinner held on Oct. 27 at the beautiful Piedmont Driving Club. The NAC welcomed 13 outstanding new members from a wide range of backgrounds into its organization. The Annual Business meeting was then held on Oct. 28 at the Buckhead Hotel with over 60 members in attendance. Several committee reports were given, and a new Strategic Plan was presented and voted on. Additional committees, such as the Communications Committee and the Awards Committee were established and well received. Finally, the upcoming Forum in November was also highlighted.

Additionally, the creation and presentation of the Ted C. Kennedy Award was announced at the Wednesday dinner. The Ted C. Kennedy Award was a several month collaboration amongst eight members who ultimately established ten criteria guidelines for future nominations. The dinner in Ted's honor was a wonderful event, with over 70 members and guests, as well as 16 of Ted's family and close friends, in attendance.

Overall, the Annual Meeting established a precedence with new events that we hope to continue for years to come. Over 110 members and guests attended, and we thank you for making it such a memorable event. See you next time in sunny Puerto Rico!



## THE TED C. KENNEDY MEDAL

The Academy established the Ted C. Kennedy Medal in 2011. The establishment was commissioned by a joint meeting of the Executive Committee and Strategic Planning Committee in early 2011 as part of the Strategic Planning process. The NAC has considered an awards program in the past, recognizing that some organizations have many awards, even approaching one hundred. The NAC has felt that Academy membership itself is the highest professional recognition achieved in most members' careers, and thus no additional awards would be appropriate. However, as part of the Strategic Planning process, it was decided to create a single lifetime award as the most prestigious in the industry. The decision was also made to name the award after Ted Kennedy, long considered the model for lifetime industry contributions.

Appropriately, an ad hoc committee

was established to create the award consisting of Mike Goodrich (chair), Jim Braus, Dave Nash, Hugh Rice, Ken Stinson and Jan Tuchman. The Committee first determined the criteria for the award, patterned after the strongest features of Ted's career, as follows:

- Commitment to People
- Obsession with Safety
- Integrity and Ethics
- Champion of Innovation
- Lifetime of Achievement
- Breadth of Sector Experience
- Breadth of Roles
- Industry Organization
- Leadership
- Generosity
- Support of the Community

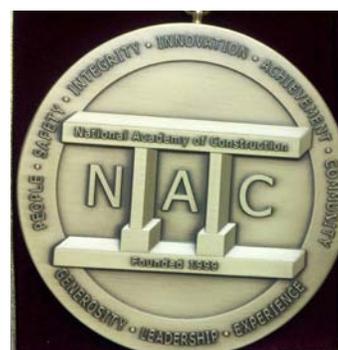
Each criterion is explained in a booklet describing the Award and the process for making nominations for recipients. In addition, Ted Kennedy himself was chosen as the first recipient and his nomination

has been printed in a separate booklet to serve as a model for future nominations.

The Award itself is a medal with an engraving of Ted's likeness on one side and the criterion on the opposite side. It is planned to also have an accompanying stipend for future recipients. A picture of each side of the medal is below.

The first Award Dinner was held in Wednesday, October 26, 2011. Approximately 100 persons attended, including 16 family and other guests of Ted's. Pictures of the Dinner are shown below.

An invitation for nominations for the 2012 Ted Kennedy Medal will be distributed to members in early 2012. The Ad Hoc Committee has agreed to remain in place for another year to refine details, and will then move into a three year rotation mode.



## 2011 Silent Auction Results

Congratulations and thank you to all who were gracious and donated auction items, or bid on the various items, for the National Academy of Construction's First Silent Auction! As this was the Academy's first attempt at such an event, it was really more like a "Blind" Auction, but the end result was quite successful. A special thanks to Ralph and Patti Larison for chairing the event and helping organize and arrange the details. As you will recall, the Auction items were detailed in an information booklet in the hospitality room, and the winners were announced at the Recognition Dinner on Friday. In total, 14 items ranging from Condos to Quilts to Tickets were donated, and a grand total of \$22,564 was raised. Quite the successful event indeed! It is our hope to incorporate a Silent Auction at every Annual Meeting, so please let us know if there are items that you would like to be included in the donations for next year!



| Item  | Offerer                     | Buyer                       | Bid Price       |
|---|-----------------------------|-----------------------------|-----------------|
| Ski Condo in Park City, UT                              | Richard and Shirley Tucker  | Richard and Shirley Tucker  | \$1,000         |
| Hand Made Quilt   | Jane Badger and Gail Gibson | James and Shirley Slaughter | \$5,001         |
| "First Rose Oakville" Professionally Framed Photo       | Gail Gibson                 | James and Shirley Slaughter | \$751           |
| 4' x 6' Hand Made Cheyenne Rug                          | Bob Bittner                 | James and Shirley Slaughter | \$1,501         |
| 1 Week in San Francisco Flat                            | John and Ginger Lamberson   | Bob and Dianne Bittner      | \$4,010         |
| 1 Week at Casa de Campo Condo in the Dominican Republic | JJ and Ginger Suarez        | Dennis and Sherry Schroeder | \$2,000         |
| Chauffeur Driven Woodie Ride and Dinner                 | Ralph and Patti Larison     | Dave and Carolyn Nash       | \$1,000         |
| Port of Long Beach and Port of Los Angeles Harbor Tour  | Ralph and Patti Larison     | Dave and Carolyn Nash       | \$1,000         |
| 1 Week In Condo in Soda Springs, CA                     | Melissa and Robert Herkt    | Bill and Janie Badger       | \$1,001         |
| Bottle of Cabernet Sauvignon                            | Jim Porter                  | Jim Porter                  | \$500           |
| 4 Yankees Tickets                                       | John Dionisio               | John Lamberson              | \$2,000         |
| 4 Mets Tickets  | John Dionisio               | Harold and Janice Adams     | \$600           |
| Home in Dallas, TX                                      | John Mihm                   | Harold and Janice Adams     | \$200           |
| 1 week at Amelia Island Home                            | Dennis & Sherry Schroeder   | Ralph and Patti Larison     | \$2,000         |
| <b>Total</b>  |                             |                             | <b>\$22,564</b> |

## 2011 NAC New Inductees

### HAROLD L. ADAMS

Harold Adams is the Retired CEO and Chairman of RTKL Associates, INC., in Baltimore, Maryland. He holds a degree from Texas A&M. While president with RTKL, they experienced a major expansion and now have 10 U.S Offices, and offices in London, Tokyo, Shanghai, and Madrid. Throughout his career, Harold has served on many corporate and university boards, and has had several contributions to Texas A&M, University of Maryland, Morgan State, and John's Hopkins. He has received recognitions from a number of Professional Societies, including the AIA Kemper Medal. His wife Janice and he have four children and eleven grandchildren.



### WILLIAM F. BAKER

William Baker is currently a partner at Skidmore Owings & Merrill LLP, in Chicago, Illinois. Prior to working for SO&M, he briefly worked at ExxonMobile. He holds degrees from the University of Missouri and University of Illinois. He has received recognitions from a number of Professional Societies, including ASCE's OPAL Award. While widely regarded for his work on supertall buildings and long span roof structures, William may be best known as the engineer of Burj Khalifa in Dubai, the world's tallest manmade structure. He is married to Betsy, and they have four children.



### EWA Z. BAUER

Ewa Bauer is the Chief Engineer for the Golden Gate Bridge, Highway and Transportation District in San

Francisco, California. She holds degrees from the Swietokrzyska Polytechnic University in Poland and a Postgraduate Diploma from Warsaw Polytechnic University. Prior to joining the Golden Gate Bridge District, Ewa worked for Caltrans for 11 years. She is a frequent lecturer and speaker, and conducts faculty and student tours of the GCB Seismic Retrofit Project. Ewa remains active in professional societies, and has received the ASCE Opal Award for the Golden Gate Seismic Retrofit Phase II.

### FRANK A. DEMARTINO

Frank DiMartino is the Retired President and CEO of The Parsons Corporation. Under his leadership as President, his group grew 200% over his 5 years in this position. Prior to working at Parsons, Frank was a 2nd Lieutenant in the United States Air Force and served as an Engineering Officer in Vietnam. He holds degrees from Manhattan College and Oklahoma State University. Frank has received numerous Military Decorations, and is well connected to many NAC members through military functions and business. He is married to Mary, and they have four children and six grandchildren.

### WILLIAM G. DOREY

William Dorey is the Director and past CEO of Granite Construction Company, one of the nation's largest publically-traded heavy construction firms. He holds a degree from Arizona State University. His career at Granite began as an estimator trainee, and he moved up the ranks during his 42 years there. He has been a tireless proponent of maintaining high ethical standards and in integral project delivery of large scale infrastructure projects. William remains active with the California Chamber of Commerce and California Business Roundtable, and received the Outstanding Alumnus Award from the Dell E. Webb School of Construction at ASU. He is married to Joni, and they have four children.

**JERRY EYINK**

Jerry Eyink is the Retired Group Director of Engineering at Anheuser-Busch, Inc. He holds degrees from Purdue University and St. Louis University. Throughout his career, Jerry remained especially active with the Construction Industry Institute (CII), serving on the Board of Advisors and Strategic Planning Committee. His participation earned him the CII Distinguished Service Award in 2008. He is also an active member of the St. Louis Council of Construction and received a major award from the PRIDE labor Management Organization. Jerry is married to Diane, and they have two sons.

**GREGORY A. HOWELL**

Greg Howell is the President and co-founder of the Lean Construction Institute. He holds degrees from Stanford University. At the Lean Construction Institute, Greg applied time lapse photography and began consulting on productivity improvement of large projects, particularly to the design of field operations and support systems. He received recognition as an Outstanding Educator from AGC and as a faculty member at the University of New Mexico. He is a regular speaker for industry groups on the need for lean production, and has Co-authored Productivity Improvement in Construction. He is married Dana, and they have one daughter.

**LINDA A. FIGG**

Linda Figg is the President and CEO of FIGG Engineering Group. She has spent almost 30 years with the FIGG companies, founded by her father. She holds a degree from Auburn University. Outside of FIGG, Linda has actively served the industry and has facilitated over 200 public workshops for the development of world-class bridges. She is on numerous boards, including the Construction Industry Round Table (CIRT) Board of Directors, as well as numerous Hospital and Community Boards. She has received many professional recognitions, including ENR's 22 Newsmakers of 1998 and she was recently inducted into the Alabama Engineering Hall of Fame. She is married to Richard Drew.

**EDWARD J. JASELSKIS**

Ed Jaselskis is the Jimmy D. Clark Distinguished Professor in Construction Engineering and Management at North Carolina State University. Prior to teaching at North Carolina State, he taught at Iowa State University. He holds degrees from University of Illinois Urbana-Champaign, Massachusetts Institute of Technology, and The University of Texas at Austin. He has held numerous academic positions, as well as various positions for ASCE's Journal of Construction Engineering and Management. He has received several professional recognitions, including CII's Outstanding Researcher of the Year Award. He is married to Michelle, and they have one daughter.



### **DOUGLAS L. KIETA**

Doug Kieta is the retired Senior Vice President of Power at BE&K Construction Company. Prior to joining BE&K, he spent several years as Sr. VP of Construction and Engineering at Calpine Corporation. He holds degrees from Clarkson University and Cornell University. He is still involved as a Board member and a consultant to several start-up companies. He held a wide-spread reputation as a straight-arrow leader in the owner community with a commitment to fairness, safety and project success. He is married to Jan, and they have three children and six grandchildren.



### **JEFFREY S. RUSSELL**

Jeff Russell is the Vice Provost for lifelong learning and Dean of the Division of Continuing Studies at University of Wisconsin-Madison. He has supervised 19 PhD Graduates and 45 MS Graduates throughout his career. He holds degrees from the University of Cincinnati and Purdue University. He has been particularly active in ASCE and other professional organizations and was recognized as an ASCE Distinguished Member in 2009, and also became a Fellow in the National Society of Professional Engineers in 2011. Jeff has published nearly 200 articles and technical reports, as well as 2 books. He is married to Vicki, and they have five children.



### **ROBERT PRIETO**

Bob Prieto is the Senior Vice President of the Fluor Corporation. Prior to joining Fluor, he was Chairman of Parsons Brinkerhoff. He holds degrees from New York University and the Polytechnic Institute of New York. He has been active in professional organizations and universities, including membership in the NRC Critical Infrastructure Task Force, the ACE Mentor Program, and Presidential Appointee to the Asia Pacific Economic Cooperation. He has over 100 publications and speeches. He is married to Gina, and they have three children.



### **TOM K. SORLEY**

Tom Sorley is Chairman/CEO of Rosendin Electric. Under his Presidential Leadership, he guided the firm to a 100% employee owned organization. He holds a Business Administration degree from the University of Nebraska Lincoln. In addition to Rosendin's leadership, Tom has served as Chair of the Design Build Institute of America, Vice-Chair of the Building Futures Council, the Beavers, Boy Scouts, AGC and universities. He is married to Kendra, and they have two children.



## 2012 Membership Selection Process



Bud Ahearn  
VP and Chair,  
Membership Committee

The 2012 Membership Selection Process is under way. It began with the election of the 2012 Membership Committee, listed below, and initiation of three year rotating terms. The 2012 Committee Members have been carefully selected to reflect the Academy's Demographics.

Bud Ahearn, VP and Chair  
Chema de la Garza (2013)  
Charles DeBenedittis (2013)  
Ron Gafford (2014)  
Edd Gibson (2012)  
Dan Halpin (2013)  
Melissa Herkt (2012)  
Ed Merrow (2012)  
Dave Nash, President  
Bob Nichol (2014)  
John Nobles (2013)  
Dennis Schroeder (2012)  
Chuck Thomsen (2013)  
Tom Traylor (2014)

In January 2012, the President will issue an invitation to all members to make Nominations for the 2012 elections. However, to supplement that effort, the Membership Committee is getting a head start with a teleconference on December 14th to identify potential Candidates from an evergreen list of almost 200 Prospects suggested at the Atlanta and earlier annual meetings. It will hold an additional teleconference in January to further refine the list of Candidates and to identify potential Nominators. Hopefully, there will be about 30 or so complete Nomination Packets by the deadline of March 31, 2012. There are 9 Nominees from the 2011 Election that will be automatically reconsidered in 2012, so an additional 20 or so New Nominees will be anticipated. The 2012 quota is for 14 new members.

If you have any questions, please contact any of the Membership Committee Members or Richard Tucker. The Academy considers its selection process to be uniquely thorough and effective.

# National Construction Forum Report- November 16-17 2011



Jimmy Slaughter  
Chair  
NAC Forum

The third annual National Construction Forum was held November 16-17 in Washington D.C. (proceedings pending). Thirty five representatives from 20 organizations and five universities attended. The Forum's Purpose, Vision and Mission are summarized below:

## **PURPOSE**

To establish the National Construction Forum as a significant national voice for major issue identification and awareness, and the integration of efforts of key organizations to drive improved efficiency and effectiveness of the capital project process.

## **VISION**

National Construction Forum is a significant national voice for major issue identification and awareness and the integration and leverage of efforts of key organizations to drive improved efficiency and effectiveness of the capital project process.

## **MISSION**

The National Construction Forum convenes annual workshops to identify major issues impeding work force and capital project best practices development and deployment, and facilitates formation and execution of work streams to resolve them

The inaugural Forum was held November 1-2, 2009. Proceedings can be found on the NAC website. The Forum produced three focus areas of the construction industry for workstreams. These focus areas were further discuss and a process was defined to address these workstreams in the second Forum workshop held in Houston, Texas, September 21, 2010 in Houston, Texas.

The three focus areas were:

1. Image of the Construction Industry from a Public Point of View
2. Best Practices in the Construction Industry
3. Workforce Development for Crafts

In our current Forum, base work on the workstreams from the September 2010 meeting in Houston was presented by:

1. Image – Dr. Neil Eldin (Director of Construction Management, University of Houston) and Marvin Oey (Director, Construction Research Council)
2. Best Practices – Wayne Crew (Director, CII)
3. Workforce Development – Don Whyte (President, NCCER)

After base work presentations Forum representatives were divided into groups to address the workstreams. The process used was:

1. Define problem/opportunity statements
2. Assess the current state
3. Develop consensus of the ideal state
4. Identify key gaps between the current and idea state
5. Develop recommended actions to eliminate gaps

Each group developed and presented their action plan to the representatives at the meeting. These action plans are not giant leaps forward but more essential first steps. The plan is to continue work on the action plans in the next calendar year, and year by year add organizations, additional steps and new issues to the forum.

Attendees discussed additional issues at the end of the Forum but agreed we need to get further along on the three workstreams prior to taking on more issues.

Leadership at the forum was provided by NAC members Jim Porter and Jimmy Slaughter, Co-Chairmen; JJ Suarez, John Dalton and Edd Gibson, facilitators.

Additional NAC members that represented attending organizations: Richard Anderson (NYBC), Stuart Anderson (Texas A&M), Wayne Crew (CII), Edward Jaselskis (NCSU) and Janice Tuchman (ENR). Thanks to Jerry Eyink (NAC) we were able to get three union representatives to the forum on short notice.



# Working Paper To Organize The New Update To The NAC Bylaws

## Background: Bylaws and corporate history

The Academy was originally established in 1999 when the Charter Members adopted Bylaws creating “a self supporting organization to operate as a nonprofit 501(c)(3) Texas and National Corporation.”

The original Bylaws covered the organizational details considered necessary at the time, principally:

- A declaration of the Purposes of the Academy
- The membership process and requirements
- Election of officers
- A Secretariat based at the University of Texas
- Composition of an Executive Committee as the governing body
- Provision for committees (2 standing, and ad hoc committees as needed)
- An Annual Meeting
- A process for amending the Bylaws



Jim Groton  
Secretary

Over the succeeding years, as the Academy grew and evolved, it was recognized from time to time that certain of the Purposes were redundant or needed to be revised or were no longer relevant, and certain changes could be made to refine the governance structure and process, but since the existing Bylaws were deemed adequate for the time being, a decision to amend the Bylaws was deferred until such time as the Academy could complete a long-range Strategic Planning process.

Meanwhile, in 2008 the members of the Academy decided that it was time for the Academy to become chartered as a non-profit 501 c 3 corporation, so a tax lawyer was engaged to draft appropriate Articles of Incorporation and obtain a non-profit 501 c 3 exemption from IRS. The new Articles of Incorporation were adopted in August 2008. The Bylaws were not changed.

Because of the requirement of the Texas Nonprofit Corporation Act that the corporation have a Board of Directors to head up the corporation’s governance structure, the Articles designated that the corporation would have three Directors (initially Richard Tucker, Ken Eichmann and Jack Turner). Those new Directors adopted the original Bylaws as the Bylaws of the newly-formed corporation, and in practical terms the Academy continued to be governed precisely as it had traditionally been governed, pending a review of the Bylaws when the Strategic Planning process was completed. (Since 2008 the “Directors” have also been referred to interchangeably as “Trustees.”

Now that the Strategic Planning process has evolved and the members of the Academy on October 28, 2111 have now unanimously voted on a comprehensive Strategic Plan, it’s appropriate to move forward to update the Academy’s Bylaws to conform to the Strategic Plan, within the legal framework required by the Texas Non-Profit Corporation Act and the 2008 Articles of Incorporation.

The updating process should start first with an examination of the actual Articles of Incorporation of the Academy in the context of the Texas Non-Profit Corporation Act, so that the updated Bylaws will be consistent with that basic legal document and the legal requirements of the Texas Non-Profit Corporation Act.

Next, the process of drafting updated and revised Bylaws needs to begin by developing an outline of the changes necessary to provide a detailed governance and committee framework for the implementation of the new Strategic Plan, so that the Bylaws and the Strategic Plan will be consistent with each other.

**The process starts with a study of the Articles of Incorporation. The provisions of those Articles that are most relevant to the drafting of the updated Bylaws are the following:**

**Purposes:** Article V sets out the Academy's purposes, as follows:

A. Generally, to operate exclusively for charitable, scientific or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and:

1. Establish an organization for the promotion of educational endeavor furthering knowledge, standards and best practices within the engineering and construction industry (hereinafter called "Industry");
2. Provide recognition to past and present industry leaders for their personal contribution to the Industry;
3. Establish a body of engineering and construction Industry leaders who are available for advice and service to the Industry;
4. Establish and administer an awards program to provide recognition to individuals who have made notable contributions to the Industry;
5. Provide for a linkage between active Industry participants and persons who have left active employment.

B. To engage in any and all lawful activities incidental to the foregoing purpose, except as otherwise restricted herein.

C. The Corporation shall not carry on, other than as an insubstantial part of its activities, activities that are not in furtherance of its purposes.

D. Notwithstanding any other provision hereof, the Corporation shall not carry on any other activity not permitted to be carried on both (a) by a Corporation exempt from federal income tax under Sections 501(c)(3) of the Code, and (b) by Section 170(c)(2) of the Code. Nothing in this Article shall be construed as authorizing the Corporation to transact any business in the State of Texas prohibited by any law of the State of Texas, including, without limitation, to take any action in violation of Section B of Article 1396-2.01 of the Texas Non-Profit Corporation Act.

The updated Bylaws should repeat these Purposes (with the possible exception that clause A (iv), which is redundant to clause (ii), could be eliminated); and to the extent that the Strategic Plan specifies additional Purposes (Vision, Guiding Principles, Goals/Key Outcomes), they can be added to the Bylaws as long as they are not inconsistent with the above statements (which they do not appear to be).

**Governance and Management:** As presently written, full and complete management and control of the corporation is technically vested in the Board of Directors, but some of these powers can be changed by appropriate amendments to the Bylaws, or can be delegated by the Directors to the Executive Committee. For example, the Bylaws can provide for the number, election, classification (presumably meaning staggered terms if needed), and removal of directors, and may make provision for the detailed governance of the Academy as long as not inconsistent with the requirements of the Texas Nonprofit Corporation Act. However, the power to alter, amend or repeal the Bylaws is shared by the Board of Directors and the members, with any Bylaw modification requiring action by the Directors and the affirmative vote of 75% of members present at a meeting of the members at which such modification is considered (provided it is properly noticed and authorized )

**Members:** The Articles recognize that the Academy has members, and those members specifically have voting powers with respect to admission of new members as well as the voting power with respect to Bylaw modifications mentioned above. Presumably the Bylaws can continue to specify the other voting powers of members that they now specify, or comparable powers.

The Articles allow any of the Academy's meetings to be held in various flexible manners, such as by telephone other telecommunications etc., or the written consent of any necessary majority of members per the Texas nonprofit Corporation Act.

### **Notes on the original/current bylaws**

**Organization:** The Academy was originally established as a self-supporting organization to operate as a nonprofit 501(c)(3) Texas and national Corporation. but that original organization has now been superseded by the 2008 Articles of Incorporation.

**Purposes:** Superseded by article V of the articles of incorporation, quoted above.

**Governance and management:** The original Bylaws did not contain any specific governance provisions except in connection with the establishment and description of officers, their duties and their method of election. Those provisions specify the following:

Officers are elected by the full membership annually for one-year terms. No officer shall serve more than two consecutive terms in the same office.

There is an Executive Committee, composed of:

- The officers
- The two immediate past presidents
- Two members at large, elected by the members
- There is a Secretariat, which handles financial matters and keeps records

**Committees:** Two permanent committees whose membership is approved by a majority of the members (Membership committee and Annual meeting committee), with ad hoc committees to be formed from time to time for a specified purpose and defined life, at the discretion of either the membership, or the Executive Committee

**Meetings:** an annual meeting is required, to include at least the following subjects:

- Election of officers
- Induction of new members
- President's report on operations
- Secretariat's report on financial status

**Finances:** The Bylaws also refer to the manner in which Finances are to be handled, including the following requirements:

- Self-supporting organization
- Financed primarily through annual dues
- 75% of the members may establish special financial assessments
- May accept grants to support the purposes of the Academy
- Meetings shall be self-supporting

**Programs:** The Bylaws recognize that the Academy may foster the following and similar programs:

- Providing advice and service to the Industry

- Awards and Recognition
- Establishment of scholarships
- Establishment of fellowships
- Support of research programs
- Support of engineering, construction and project management related education.
- Providing speakers in support of Industry related programs to enhance the image of the Industry.

**Revision of Bylaws:** The present Bylaws specify that the vote of 75% of attending members at an annual meeting is required to amend the Bylaws (this is consistent with the Articles of Incorporation, but note that the Articles require the vote of the Board of Directors as well).

### **Notes on what an annotated draft of the new bylaws should look like:**

We should include in the draft of the newly-updated Bylaws, annotations with respect to each provision which will contain:

- The applicable text of the relevant Articles of Incorporation, to make sure that the provision fits within the parameters of or is not inconsistent with the Articles of Incorporation.
- An explanatory rationale of each changed or new provision to include:
  1. Authority for it
  2. What the previous Bylaws said on the subject
  3. Why and how the provision was changed
  4. If it's a new provision, why it was added?
  5. If it's an extension of one of the Articles of Incorporation, explain why

### **The new Bylaws should reflect the current strategic plan**

The various provisions of the Strategic Plan can be divided into various categories to make it easier to reflect them in the new Bylaws

**The Purposes** of the new Bylaws should reflect the Strategic Plan approaches to:

- Vision
- Guiding principles
- Goals/key outcomes

**The Governance and Management** provisions should reflect such Strategic Plan items as:

- Selection of new members via the membership committee
- Energizing of the membership through:
  1. Annual meetings
  2. Bulletins
  3. Communications

**The provisions of the new Bylaws concerning Committees** should reflect items in the Strategic Plan relating to Service and Contributions to the Industry.

**The “Sustaining the Organization”** elements in the Strategic Plan should be reflected in the Bylaw provisions dealing with:

- Orderly transition of leaders in governance positions
- The financial plan
- Development activities
- Encouragement of endowment
- Continuation of the Strategic Plan process

# KUDOS!

Ku • dos [koo-dohz, kyoo- dos, -dos,], n. [Gr. Kydos, glory, fame], [Colloq.], credit for an achievement; glory; fame; praise or accolades, prestige.

★ **Bill Baker** was elected to the NAE. He also received the 2011 ASCE OPAL Award for Lifetime Achievement in Design

★ **Bru Brubaker** was honored by the Virginia School of Engineering with their 2011 Distinguished Alumni Award.

★ **Jack Buffington** was inducted into Georgia Tech's Academy of Distinguished Engineering Graduates.

★ **John Dalton** received the CII Richard Tucker award.

★ **Jesus De la Garza** has been selected by the ASCE Construction Institute to receive the 2011 Peurifoy Construction Research Award.

★ **Bill Dorey** was the commencement speaker for the College of Engineering at Arizona State University

★ **Linda Figg** was awarded multiple ARTBA Globe awards for several of her Bridge designs in the USA.

★ **Gerry Greene** will receive the Equal Justice Leadership Award from the Cincinnati Bar Association and the Volunteer Lawyers for the Poor Foundation.

★ **Vince Kontny** received the National Indie Excellence Award for his autobiography, *The Life and Times of Vince Kontny, Volume 1: The Early Years*

★ **James Lammie** was selected for the ARTBA (American Road and Transportation Builders Association) Hall of Fame for 2011

★ **Frank Lombardi** will receive the 2012 ASCE OPAL Award for Government Service

★ **Bob Nichol** was selected as an ASCE Distinguished Member in 2011.

★ **Bob Prieto** published his second book, and was recognized as a Distinguished Alumnus from the Polytechnic Institute of New York University.

★ **Doug Pruitt** will receive the 2012 Golden Beaver Management Award

★ **Robert Smith** was honored with the Lifetime Achievement Award from the University of Wisconsin-Madison

★ **Steven Stockton** received the 2011 Henry P. Caufield, Jr. medal in recognition of his eminence in shaping national water policy

★ **Charles Thomsen** published the 2nd edition of his book "Program Management"

**Editor's Note:** We intend to include this item in all future editions of the NAC Bulletin to recognize NAC members who receive distinguished awards, appointments, etc. If you or a member known to you has received such an honor from a university, professional organization or similar entity, please send the information via e-mail to the group listed below for vetting and inclusion in a future edition.

Dave Nash, 2012 NAC President, Richard Tucker NAC Secretariat, Adrienne Goetz NAC Bulletin Editor.

Send Kudos!

## Spotlight on Spouses

**Diane Eyink** is the wife of Jerry, a new inductee to the NAC this year. Diane, a native of St. Louis and a graduate of Southwest Missouri State



University, is the mother of two sons - Brian a practicing attorney in Washington, DC, and Jeff who is completing his final year of graduate school (in marketing) at Arizona State University.

Diane and Jerry met while both were employed at Anheuser-Busch where Jerry convinced her, and continues to prove, that he is the best thing in her life. Diane was quickly indoctrinated to the rigors of Jerry's engineering/construction career when the day after they became engaged he left for a 2-week business trip and returned 3-months later.

Upon leaving the workforce to become a stay-at-home mother, Diane was persuaded to put her active lifestyle to use helping others achieve health and well-being through fitness and lifestyle changes. This passion/hobby has kept her in the teaching arena for 25+ years.

Soon after Jerry retired from Anheuser-Busch, a month long vacation in Scottsdale, Arizona, and many bike rides up the mountain later, they built a vacation home in the desert foothills of Black Mountain where they've begun spending winters.

The weather is perfect for hiking, biking, swimming and drinking wine over sunsets!

Jerry says Diane is the "linchpin" in the family ... always the event planner, family gatherer, and the volunteer who just can't say "no". She continues to remain active with church, the YMCA, The Little Bit Foundation (serving the needs of underprivileged school children in St. Louis), and chairs/presents the water venue of Celebrate Fitness (an annual fundraiser supporting The Siteman Cancer Center in St. Louis) ... when she's not busy keeping up with Jerry that is.

Jerry Eyink  
2011

**Jan Kieta** wife of Doug Kieta, NAC Class of 2011 was born in a suburb of Pittsburgh, PA. She and Doug met there while



both were working for the same company that Doug began his career with. In fact, in 1967 she typed his offer of employment for that company. They were married in 1969.

While actively supporting Doug's career, Jan continues to have two careers of her own. First, and most importantly, she has been an outstanding mother of their three children. Her role has since been expanded to add the spouses, six grandchildren and five family pets to her beloved brood.

While keeping the family together during construction moves from Pittsburgh to Brazil, back to Pittsburgh, on to Houston, Texas, then Sacramento, CA and finally Birmingham, AL, Jan managed to work at her professional career in interior design. In Houston she simultaneously worked for one of the largest residential developers in Kingwood, thirteen custom home builders from the Woodlands to Katy, and inside the city itself. She also did the model home park for Dakota Dunes, a grass-roots riverfront development in South Dakota. Designs of commercial and luxury rental properties are also on her list of achievements.

Now that Doug has retired, Jan and he have settled in Cranfills Gap, Texas where Jan has become the go-to event planner for various social functions at the Bosque Arts Center. She is also doing pro-bono design work for the local Chamber of Commerce offices, a Lutheran church office and the art center, while still consulting with other clients.

Her years of deer and dove hunting have given her the patience and keen eye needed to keep the feral hog population at a somewhat manageable level on their ranch. The deer are fed at the Kieta's...not hunted.

Life is good in Texas.

Doug Kieta  
2011

**Kendra Sorley** is the wife of NAC member Tom Sorley. High School sweethearts, Tom and Kendra literally have the storybook quarterback/cheerleader start to their 36 year marriage. Coming out of the same area that inspired the book, "Friday Night Lights" the couple were married after Tom's freshman year at the University of Nebraska in Lincoln. Both of their two children, Elisha, age 33 and Drew, age 31 were born while Tom attended school there. It was Kendra's job at Commonwealth Electric that introduced Tom to the world of construction.



Work with Commonwealth Electric moved the family from Nebraska to California where between busing the children to school, swim meets, water polo and baseball practice, Kendra went back to school and become a Registered Nurse. Over the course of the next twenty years she worked as a surgical nurse for several plastic surgeons ultimately setting up an outpatient non invasive practice for one doctor in a suburb outside of San Francisco.

Successfully setting up this prototype business model, Kendra retired a few years ago and has become an avid golf fanatic, one year recording 180 rounds! Recognizing this passion for

the sport and her exceptional organizational skills she has been called on to run her Club's Women's Invitational on several occasions.

Kendra loves time spent with family especially Christmas when everyone gets together to fellowship and cook a meal from a different country each year, a tradition Kendra started when the children were very young. Kendra is the glue that holds the family together.

Tom Sorley  
2011

## NAC Spousal Involvement

In keeping with the NAC Strategic Plan that was presented at the Members Business Meeting in Atlanta, the NAC is delighted to present the Spousal Involvement Committee, chaired by Shirley Tucker. One of the Academy's principal objectives is collegiality, and this Committee will further enhance the "Energize" objective to the Strategic Plan. Other spouses principally involved in this Committee are: Rivanna Crew, Sherry Schroeder, and Ginger Suarez. The first area where we would enjoy receiving more input is regarding the Annual Meeting, specifically regarding location destinations and tourist attractions to visit. The second area occurs in-between Annual Meetings. Until now, spousal involvement has been in the form of "Spouse Spotlights" in the NAC Bulletin, as well as a "Compilation of Spouses" Booklet in the Hospitality Room at the Annual Meeting. It is our hope that some form of a spousal communication network can be set up, where mailings and notifications can also be distributed not only to Members' email and work addresses, but also to spouse emails and home addresses. If your spouse would like to get involved, or has any ideas about to improve the Spouse experience at the Annual Meetings, please contact Shirley Tucker at [stucker@austin.rr.com](mailto:stucker@austin.rr.com).



## 2012 Annual Meeting Preview - October 23-27, 2012

The October 23-27 2012 National Academy of Construction's Annual Meeting venue negotiations are in full speed. The location we are presently in negotiations with is the Rio Mar Beach Resort & Spa, a Wyndham Grand Resort, in Puerto Rico.



Located only 19 miles from the San Juan International Airport, groups will have direct accessibility to Puerto Rico's finest full-destination resort. As a commonwealth of the United States, Puerto Rico offers the familiar convenience of U.S. currency, United States tax benefits, and no customs.

This seven-story Caribbean manor house offers modern luxury in its 598 deluxe guest rooms, all with furnished balconies. Richly appointed, newly renovated, tropical guestrooms offer the ultimate in comfort with a sense of style.

It also features, Mandara Spa means "eternal youth" in Sanskrit and state of the art health club. Other recreational activities include 36 holes of championship golf, casino and over one mile of secluded beach offering endless water sports.

The Rio Mar Beach Resort & Spa has the only beachfront meeting space in the Caribbean that accommodates groups of all sizes within their 48,000 square foot Oceanfront Conference Center. The Rio Mar Ballroom is 21,000 square feet, the largest in the Caribbean.

Events, besides the NAC meetings, will include a tour to "El Yunque Rainforest" which is an amazing world of nature trails, waterfalls and scenic views, visit to Old San Juan and Golf, to name a few of the proposed scheduled activities.

I will be providing a progress report once contract with Wyndham is finalized. In the meantime, mark the dates of October 23-27, 2012 into your calendar for attending the 2012 NAC Annual Meeting.

## 2012 NAC Executive Committee

|                    |                                   |  |
|--------------------|-----------------------------------|--|
| President          | Dave Nash<br>703-639-9085         | <a href="mailto:djnash34@gmail.com">djnash34@gmail.com</a>                   |
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### Other Elected Positions:

- NAC Trustees: Richard Tucker, Jack Buffington, Bill Heine
- Endowment Trustees: Doy Cole, Art Fort, Russ Fuhrman, Keith Roe, Bob Rubin

The NAC Bulletin is a publication of the National Academy of Construction.

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### Membership Committee:

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**Development Group:** John Lamberson (chair), Bud Ahearn, Bill Badger, Doy Cole, Ralph Larison, John Mihm, Jim Porter, Hugh Rice, Tom Sorley

**Strategic Planning Committee:** Jim Porter (chair), Jim Braus, Jack Buffington, Doy Cole, John Dionisio, Ted Kennedy, Vince Kontny, John Lamberson, Jimmy Slaughter, J.J. Suarez

**2012 Annual Meeting**  
J.J. Suarez (chair)