

American Concrete Pipe Association, Irving, Texas 75063-2595, USA

Why Federal and State Legislators are Touring Concrete Pipe Plants

■ Russell Tripp, P.E., President, American Concrete Pipe Association, USA

For several years now, the U.S. concrete pipe industry has witnessed a relentless attack on both professional engineers and the authority of local governments to set technical specifications for culvert, water, and wastewater pipes used in taxpayer-funded infrastructure projects. Working together through their industry association, U.S. concrete pipe manufacturers have been fighting back. Our goal is to protect and preserve the engineer's authority to use his/her professional judgement in determining which piping materials are suitable for a particular project in a particular region of the country.

The attacks on professional engineers and local control are being orchestrated by a coalition of thermoplastic pipe makers and the U.S. chemical industry. Their goal is simple: to increase sales of thermoplastic pipe to public agencies. To achieve this goal, the thermoplastic pipe industry is attempting to persuade federal and state lawmakers that professional engineers working for local governments are unfairly preventing thermoplastic pipe makers from being able to bid on public works projects.



Congressman Steve Stivers, the U.S. Representative for Ohio's 15th congressional district, tours the Forterra plant in Columbus, OH.

Legislating Market Access

Both the U.S. Congress and multiple state legislatures are being pressed to pass legislation that would actually restrict the ability of local governments to determine which construction materials are suitable for projects within their borders. The latest version of the legislation being peddled by the thermoplastic pipe coalition would completely override local decision-making authority for specifying the drainage pipes used in taxpayer-funded infrastructure projects. If this legislation were to be signed into law, the decisions of professional engineers would be effectively overruled, even in cases where the engineer's professional judgement has determined that not all pipe materials are suitable. Moreover, if a professional engineer failed to allow all thermoplastic pipes to bid on the project, the locality would be exposed to potential lawsuits.

The Lobbying Campaign

This legislation is being misleadingly marketed to legislators as a means of ensuring that there is "open competition" in the procurement of construction materials. For legislators unfamiliar with professional engineering and local specifications, this legislation might initially sound harmless, especially when proponents of the legislation talk about "open competition." The phrase "open competition" has traditionally referred to a procurement process that is open to all manufacturers of suitable products and where there is a vigorous competition to be the winning bidder. In this case, however, the concept of "open competition" would be perverted by requiring the professional engineers to consider thermoplastic pipe to be suitable for the project, regardless of the engineer's professional judgement on the matter.

The lobbying campaign that the thermoplastic pipe industry is conducting is formidable. It is well-funded and well-coordinated with lobbyists working in

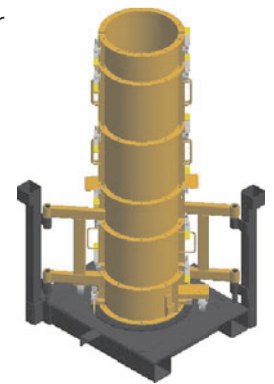


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the national capital and more than a dozen state capitals. Moreover, the thermoplastic pipe industry has been both patient and relentless, suggesting that they have no intention of quitting this fight anytime soon.

Countering Through Education and Engagement

U.S. concrete pipe manufacturers have found that educating lawmakers about the critical role of professional engineers and local engineering specifications is an important first step in combating the argument for so-called “open competition.”

In addition, concrete pipe makers have given their production facilities a starring role in their educational efforts.

Concrete pipe plants are located in nearly every state. They are employers, generators of tax revenue, buyers of a wide range of local resources, sponsors of community programs, and centers of advanced production technology and learning. Concrete pipe plants supply engineered precast concrete components used to construct a community’s critical infrastructure that must be resilient in the face of extreme weather. Concrete pipe plants and the products they supply are vital to any politician’s constituency.

ACPA members have opened their plant doors to legislators so they can learn how concrete pipe is produced. Most have never seen a concrete pipe plant. Members of Congress are most interested in the process for producing concrete pipe, manholes and precast boxes. They want to understand fully how concrete pipe arrives on site as strong as it does. Many are surprised to learn that concrete becomes stronger over time.

Concrete pipe plants have proven to be the ideal place for members of Congress and State Legislators to witness the production of precast concrete products that are proven to be resilient even in the face of extreme weather events. The best way for the concrete pipe industry to support professional engineers and their associations is to open America’s plants for visits by legislators and policy-makers. ■



Congressman Pete Aguilar tours the Thompson Pipe Group plant in Rialto, CA (Photos: Courtesy of the ACPA and its members)

FURTHER INFORMATION



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