

PRESIDENT'S MESSAGE *by Leon Kriebel, P.E.*

In this issue:

President's Message	1
ACEC/MD Launches 2013 Legislative Business Agenda	3
Rep. Jack Brooks, Author of Federal QBS Law Passes Away	6
ACEC/MD 2013 Leadership Program Accepting Nominees	6
News from ACEC's Coalitions	7
New Members	8
Member News	9
ACEC/MD Hosts Fundraiser for Congressman Ruppberger	10
ACEC/MD Awards Banquet Sponsorship Opportunity	10
Upcoming Events	11



This time of year is busy with company year-end issues and holiday events, but let's not forget that it is also an important time for ACEC/MD events.

We officially kicked off the legislative season with our Legislative Breakfast on November 29th. Our speaker was Jim Smith, former Baltimore County Executive. Jim told the audience that you must be a player now more than before the election. Professional players can make an impact in Annapolis. You need to put yourself in a position where you can have access and input. ACEC/MD needs to be heard in Annapolis and we need your support.

Our next legislative events will be our Legislative Breakfasts in each county around the Baltimore Metropolitan area with State legislators from those counties invited. These breakfasts are hosted by our member firms. Please support these events by attending them, particularly if you reside in the district for which an attending delegate or senator represents. It provides a stronger voice when a legislator knows that one of his constituents is there. In January the legislative session will begin. We will have our Legislative Action Day in Annapolis on January 17, 2013. Please plan to attend this important event. We need a big turnout to show strength on the issues we support. It is important that we try to have at least one representative who resides in the district of an attending legislator. We have had situations in the past where a legislator walks into the luncheon and asks if there is anyone from their district. If there is not, they have turned around and walked out. One task that all of the firms' representatives can do is to send to ACEC/MD the districts where their employees live, as ACEC/MD cannot ask for this directly from firms' employees.

So, now that I have begged for your support, what are our issues? Number one is still transportation funding. We failed to get an increase in funding for reasons that I discussed in my previous messages. We still think that we have a chance in the 2013 Legislative Session, but it will be absolutely the last chance for another three years. The following year, 2014 will be an election year for a new Governor, and all delegates and senators. In 2015 a new Governor will take office in January and many new legislators will be starting their first session.

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PRESIDENT'S MESSAGE (continued)

With a legislative session that starts in mid-January and ends in April, there will not be sufficient time to garner support for transportation funding in 2015, so, as I said, this year is our last chance until 2016.

A recent analysis by the Department of Legislative Services states that The Maryland Department of Transportation has overestimated future revenues and underestimated their future operating expenses. The result will be that by FY2018, all funds will go towards maintenance and there will be no new capital projects. That is why it is so important that we get a transportation funding increase now.

The above discussion on upcoming legislative events brings me to an overview of our Political Action Committee (PAC) goals. ACEC/MD has exceeded their 2012 federal ACEC/PAC goal of \$22,000. However, our CEPAC, the local Maryland PAC, is severely underfunded. To date, only a quarter of our 85 member firms have made a four-year pledge of funding CEPAC, and we have raised only \$38,000 towards our goal of \$50,000 to be raised by December 31, 2012. If we are to gain access to our Maryland legislators, we must have the funding to attend political events where we can talk face to face with our legislators about our issues. So, if your firm has made the four-year pledge, thank you. If not, please make a four-year pledge. If you also have not contributed as an individual, please consider doing so. We need your support. Although many potential candidates are already having fundraisers, next year will officially kick-off the race for Governor. Our CEPAC Committee has discussed the need to get to the candidates early to see who will support transportation funding increases. We will need money to attend those events. So, please contribute.

I attended the ACEC 2012 Fall Conference in Boca Raton along with 20 other representatives from ACEC/MD firms. It was a good conference at a great location that featured a political insight into the Presidential Election, discussions by CEO's about the future in certain market segments and good educational sessions. The Board Meeting's main focus was a discussion on the appropriateness of a three-year budget. In order to tackle the many challenges facing the industry, ACEC needs a three-year budget in order to know that adequate funding is there to hire necessary staff. ACEC has functioned on a lean foundation established by budget cuts since FY 09. Even with those budget cuts, ACEC has delivered wins for the membership with the 3% federal withholding mandate repeal, elimination of retainage on federal contracts and the passage of a new two-year Transportation Bill. With the many challenges ahead such as fighting insourcing and liability threats; tackling new initiatives such as energy, industrial and other private client sector issues; and an aggressive public relations policy for infrastructure advocacy, there is a need for a three-year budget.

I wish everyone a safe and happy holiday season, and look forward to working with everyone on legislative issues in 2013!

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ACEC/MD LAUNCHES 2013 LEGISLATIVE BUSINESS AGENDA

The 2013 General Assembly Session convenes on January 9, 2013, and your Legislative Committee, chaired by Johnson, Mirmiran & Thompson's Sean McCone, has been laying the ground work for success in what promises to be a very challenging 90 days. With a budget deficit once again looming, and an uneven economic recovery, the stakes have never been greater. If we are not successful in achieving a transportation revenue increase in 2013, the third year of the four year election cycle, there is very little chance of realizing an increase until the next election cycle.

Through individual discussions with legislators and at the Howard County Delegation Breakfast hosted by RJM Engineering, ACEC/MD representatives have continued to stress the important link between infrastructure funding and the creation of sustainable jobs.

While elected officials appear to understand the need to address the transportation crises, among some legislators there is a reticence to commit to supporting a gas tax increase due to the lack of integrity in the Transportation Trust Fund (TTF) and gas prices that exceed \$3.00 per gallon. This is where you, their constituents, need to make your voice heard.

In addition to championing additional infrastructure funding in the state of Maryland, ACEC/MD will also push for the reasonable use of Public-Private Partnerships (P3), and spotlight that they are only one tool in the toolbox, not a substitute for additional funding. We also state our support for the state Minority Business Enterprise (MBE) program and the expanded use of the Small Business Reserve (SBR) program. Also, while there has not been any specific threat to Qualifications Based Selection (QBS), we continue to stress the importance of this selection process for professional services.

Firms can assist in the Legislative Committee's efforts by:

- Contacting their elected officials to share their viewpoint on these important issues.
- Responding to Legislative Alerts issued by ACEC/MD.
- Attending ACEC/MD's Legislative Action Day on January 17, 2013.
- Providing ACEC/MD with the legislative districts of both the firm and employees.

ACEC/MD's 2013 Business Agenda was officially rolled out at the Annual Legislative Breakfast, as follows:

The Infrastructure Crisis in Maryland

- Baltimore and Washington DC rank among the top 5 congested areas in the US.
- Motor vehicle traffic crashes were the leading cause of death for ages 4 and ages 11 – 27.
- 44% of the state's major roads are deficient (2008)
 - 26% rated in poor condition.
 - 18% percent rated in mediocre condition.
- In 2011, 25% of Maryland's 5,195 bridges were rated structurally deficient or functionally obsolete.

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ACEC/MD 2013 LEGISLATIVE BUSINESS AGENDA (continued)

Why Care?

Our nation’s highways, transit systems, railroads, airports, ports and inland waterways drive our economy, enabling industry to achieve the growth and productivity that have made America strong and prosperous. We are losing our advantage.

- By FY18 SHA’s Special Fund (TTF) Capital Budget will only fund system preservation⁴
- Revenue sources are flat and not indexed to inflation
 - MD Gas Tax: Fixed at \$0.235 since 1992 (20 years ago)
 - Federal Gas Tax: Fixed at \$0.18 since 1993
- Inflation: Since 1992, the cost of construction has increased 79%⁵ and the cost of asphalt has increased 1,000%
- Utilities (gas, water, sewer and electric) have received regular rate increases since 1997

Economic Impact

- For each \$1 billion of federal spending on highway construction nationwide nearly 28,000 jobs are generated annually¹
- Each dollar spent on road, highway and bridge improvements results in an average benefit of \$5.20¹

Safety

- Roadway condition is a contributing factor in 52.7% of the nearly 42,000 American deaths resulting from motor vehicle crashes each year and 38 percent of the non-fatal injuries
- Road condition is the single most lethal contributing factor in terms of crash outcome severity, greater than speeding, alcohol or non-use of seat belts⁶

The Perpetuated Myths-

There are many myths and misinformation regarding infrastructure revenue that are used as excuses to not take action.

The Myth	The Fact
We are already taxed too much.	The combined MD state gas tax and federal gas tax returned to MD is \$0.41 per gallon; lower than DC(\$0.85), WV (\$0.565), DE(\$0.524), PA(\$0.488), and ranks 30th among the 50 states.
If you raise the gas tax, travelers will buy gas in other states because it will be cheaper.	The price of gas in MD normally trends less than PA, WV & DC.
Gas taxes & infrastructure funding don’t poll well. They just don’t get it.	Voters approved nearly 70% of State & Local transportation ballot initiatives in the 11/6/12 election.
It’s not the right time, gas prices are too high and raising them will hurt the economy.	It is the perfect time. The unemployment rate in the construction industry was 14.5 percent in April 2012 – nearly double the overall rate in the general economy.
There is already enough money in the Transportation Trust Fund (TTF)	Since 1984, \$574.1M has been transferred from the TTF to the general fund, \$26.8M has not be repaid. Last fiscal year, \$100 million was transferred from the TTF and has not been repaid. Since 2003, more than \$1.1 billion was diverted from the local/county Highway User Funds (HUR) to general fund, none of which has been repaid.

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ACEC/MD 2013 LEGISLATIVE BUSINESS AGENDA (continued)

The Action Required -

Implement the recommendations of the Blue Ribbon Commission,11 emphasizing the following specific recommendations:

- PROTECT the Transportation Trust Fund
- RESTORE the Annual Highway User Revenues (HUR) to the Local Governments
- INCREASE the Gas Tax: Three-year phase-in of 5 cents per gallon per year and in year 4 implement an index component
- STUDY Regional Transit Financing Authorities
- INCREASE Bonding Capacity Commensurate with Revenue Adjustments
- INCREASE Farebox recovery ratio to 35%
- ADOPT Policies and Legislation to Facilitate Partnerships to Enhance Transportation Investment
 - Public-Private Partnerships (P3s)
 - Financing Tools

Public-Private Partnerships (P3s)

ACEC/MD supports expansion of the use of P3s through legislation that encourages innovation from the private sector and includes:

- A centralized enabling statute expressly authorizing P3s
- A fair, efficient and timely legislative review process
- Clear parameters for P3 evaluation
- Firm guidelines for confidentiality and public disclosure

Although ACEC/MD supports the expansion of P3s, they alone will not solve the funding crisis.

Minority Business/Small Business Subcontracting

ACEC/MD supports legislative initiatives in Maryland to enhance participation of small, and minority-owned businesses on state-funded contracts.

- ACEC/MD supports Maryland's Small Business Reserve Program and is currently working with state agencies to utilize this program more frequently in engineering and related services sectors
- Any small/minority business participation goals should be based on the availability of firms that are professionally qualified and that are ready and able to provide therequested services
- Our legislative agenda priorities strengthen the viability of small and MBE/DBE engineering and related services firms

Qualifications-Based Selection (QBS)

The procurement of engineering and related services is one of the most important parts of the process for ensuring quality of a constructed project. A QBS process allows the owner to choose the firm determined to be the most qualified based on objective criteria. Selecting the most qualified firm results in the least expensive project over the long run, as a high quality design phase will result in less expensive construction and maintenance costs.

A copy of ACEC/MD's 2013 Legislative Business Agenda is attached. You can also contact the ACEC/MD office to get an official copy with graphics, or go to www.acecmd.org.



REP. JACK BROOKS, AUTHOR OF FEDERAL QBS LAW PASSES AWAY

Former Texas Congressman Jack Brooks, who wrote landmark legislation in 1972 requiring federal agencies to use Qualifications-Based Selection (QBS) in contracting for design services, died at the age of 89. He served 42 years in Congress and was in the Dallas motorcade in 1963 when President John F. Kennedy was assassinated. Commonly known as the "Brooks Act", the legislation has been replicated in 46 states including the state of Maryland. In 2003, ACEC presented Brooks with the distinguished Award of Merit, the highest honor bestowed by the Council to an individual.

ACEC/MD 2013 LEADERSHIP PROGRAM ACCEPTING NOMINEES

ACEC/MD is pleased to offer another program targeted for the "rising stars" in your firm. Through a dynamic, interactive program, ACEC/MD will deliver the training your firm's up and coming leaders need for both a reasonable investment and at convenient locations. Our program's experienced facilitator, Jim Marcotte, will ensure interactive discussion between presenters and participants. To maximize the learning experience, class size will be limited to 25 students with approximately ten years of experience in the consulting engineering industry. As in the past, cover letters and resumes will be used to screen applicants. The deadline to submit applications is **December 19, 2012**.

Once again, patterned after ACEC's highly acclaimed Senior Executive Institute (SEI) program and "The Business of Consulting Engineering" Program, your firm can avail itself of training that is:

- Tailored to Maryland firms with presentations by local instructors and clients.
- Scheduled to minimize work responsibility conflicts with late afternoon sessions and wrap-up at the ACEC/MD conference at the Tides Inn, Irvington, Virginia.
- Reasonably priced to allow your firm to send "up and coming" future leaders without breaking the training budget.
- Thorough, in providing a curriculum that addresses the myriad of firm management issues that senior principals address on a daily basis.

Schedule:

- I Characteristics of Leaders – Thursday, January 24, 2013
- II The Future of Engineering and Organizing & Structuring A Successful Firm - Thursday, February 21, 2013
- III The Importance of Political Activism - Thursday, March 21, 2013
- IV Risk Management Liability & Insurance - Thursday, April 18, 2013
- V Finance & Profitability - Thursday, May 16, 2013
- VI Lessons in Leadership & ACEC/MD Conference - Friday, June 28, 2013

Sessions I through V will be held at The Engineers Club, 11 West Mount Vernon Place, Baltimore. Session VI will be held during ACEC/MD's 25th Annual Conference at the Tides Inn, Irvington, Virginia.

Contact the ACEC/MD immediately to submit applicants from your firm (410-539-1592).

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NEWS FROM ACEC'S COALITIONS

ACEC's coalitions provide a valuable resource for firms practicing in specific areas. This includes information sharing, best practices, and networking. These communities offer professionals easy access to information pertaining to their area(s) of expertise. For further information on ACEC's coalitions, please go to www.acec.org. ACEC Member Firms may purchase coalition publications through the ACEC store: www.booksforengineers.com. Coalition members receive these publications free as a benefit of membership. Recent publications developed by the coalitions include:

Council of American Structural Engineers (CASE):

962-G: National Guidelines for Performing Project Specific Peer Reviews for Structural Projects

Focuses on the increasing complexity of structural design and code requirements, compressed schedules and financial pressures are among many factors that have prompted the greater frequency of peer review of structural engineering projects. The peer review of a project by a qualified third party is intended to result in an improved project with less risk to all parties involved, including the engineer, owner, and contractor.

Council of Professional Surveyors (COPS):

Baseline 5-7: Site Specific Safety Analysis

Identifies health and safety issues and lists relevant procedures for project personnel to follow on a per site/per project basis.

The analysis:

- Gives all personnel a place to communicate health and safety concerns
- Allows documentation of proactive remediation

Land Development Coalition (LDC):

Go/No-Go Process

Can your firm win the work? Evaluate your firm's overall chances of winning the work - upfront - with a well-structured go/no go process.

Project Start-Up

When the "client manager" and the project manager are different individuals, the client manager needs to be directly involved with communicating project information to the client. A Project Start-up Checklist - no matter what size the project - can help facilitate the client service manager-project manager discussion and overall communication.

Cost to Complete

"Are we making any money on this job?" Successful project management includes understanding the financial performance of the project at any point in the design process. A cost to complete schedule allows the project manager to review and update project variables to ensure your project's financial goals at any stage of completion are on track.

Contract Negotiations Checklist

Provides detailed questions to ask yourself and/or your team to assess your client's needs and desires – as well as in-depth knowledge of your firm's scoping, contractual and pricing options – to help you successfully negotiate a contract with the client.

Project Kick-off Meeting Checklist

Held in conjunction with the schedule review meeting and should include all staff working on the project. Items include scope, budget, team, client, deliverables, etc.

NEWS FROM ACEC'S COALITIONS (continued)

Land Development Coalition (LDC) (continued):

Used to help firms review:

- Project History
- Overall Scope of Services
- Project Team
- Project Responsibilities
- Project Schedule

Project Schedule Review

Assists the project manager with the key items needed to prepare and review project schedule, including input and buy in from the other practice areas and disciplines involved in the schedule. This step should involve a meeting of project staff so the schedule and client expectations can be discussed.

Project Closeout Review

Accurate recording and storing of project records will minimize the effort of document retrieval in the future--in addition to serving as a final check of all project documents.

To learn more about ACEC's Coalitions, contact ACEC's Heather Talbert at 202-682-4377 or htalbert@acec.org.

NEW MEMBERS

The following firm has been elected to Affiliate Membership in ACEC/MD:

MISTER, BURTON, PALMISANO & FRENCH, LLC

307 International Circle, Suite 570

Hunt Valley, MD 21031

Phone: 410-771-9040; FAX: 443-705-0258

Contact: Kimberly Palmisano, CPA kpalmisano@mbpcpa.com

Brief History and Activities of the Firm: Formed in 2006, Mister, Burton, Palmisano & French, LLC is a full service, Maryland-based accounting firm that provides audits, tax services and management advisory services for businesses, business owners and high net worth individuals. Their size, experience and breadth of knowledge allows them to serve a diverse client base while maintaining one-on-one service. Their approach to accounting - built on a passion for addressing client needs - yields more than just a financial statement or completed tax form. It also enables them to interpret the fiscal health of a client. Mister, Burton, Palmisano & French, LLC prides itself on their ability to attract and retain highly motivated and intelligent CPAs.

We welcome this firm as an Affiliate Member of ACEC/MD. Be sure to add their information to your records. The next time you see one of their representatives, please take the time to let them know we're glad that they have joined the Council!

MEMBER NEWS

A. MORTON THOMAS & ASSOCIATES (AMT) is pleased to announce the Zweig Letter has ranked the firm 63 on its annual Hot Firm List. The ranking is based on percentage of growth and growth of revenue over a three-year period.

DEVELOPMENT FACILITATORS, INC. is pleased to announce *Mr. Andrew Parks, P.E., LEED AP*, has joined the firm as the Director of Environmental Engineering Services, and that *Carl D. Reimer, LEED Associate*, has joined the firm as Construction Inspection Supervisor for Construction Management and Inspection operations.

For embracing sustainable design principles and expedited delivery, Engineering News-Record (ENR) has recognized four **DEWBERRY** projects as best projects in the Mid-Atlantic for 2012. The firm provided professional engineering services for projects in the Transportation, Best Healthcare, Office and Specialty Contracting categories.

EBA ENGINEERING, INC. welcomes *Sherri Waldron* as a Project Manager in the Environmental Engineering Department. She has over 26 years of professional environmental experience.

JAMES POSEY ASSOCIATES is pleased to announce that *Melinda Kay* has joined the firm as Marketing Director. She has been active in marketing M/E consulting engineering services for more than 16 years.

KCI TECHNOLOGIES is pleased to announce the following acquisitions:

- ESPA CORP Inc., a Houston-based organization focused on civil engineering, planning, and construction and program management for transportation, infrastructure and facilities projects.
- Triplett-King & Associates (TKA) a South Carolina-based company specializing in structural engineering, construction engineering and inspection services for transportation projects.

NMP ENGINEERING CONSULTANTS, INC. has recently become a certified DBE with DELDOT and the Commonwealth of Virginia.

PRIME ENGINEERING, INC. is pleased to announce *Debra Wittle, PLA, LEED AP BD + C* has joined the firm as Vice President, Federal Programs. She has more than 28 years of experience in the planning, architecture and engineering industry.

SABRA, WANG & ASSOCIATES is pleased to announce the appointment of *Norine M. Walker, P.E.*, Director, Business Development. She brings to the firm notable management and technical experience in planning, design, and construction of transportation projects in the Mid-Atlantic region.

URBAN ENGINEERS is pleased to announce the addition of nationally-recognized transit planner *Margarita Gagliardi* to the firm. She has 35 years of professional experience focused on overseeing and managing major transportation projects.



ACEC/MD HOSTS FUNDRAISER FOR CONGRESSMAN RUPPERSBERGER

Including the \$4,000 contribution from ACEC, approximately \$14,000 was raised for influential Congressman Dutch Ruppersberger. During his remarks, the Congressman stated that sequestration would have serious consequences for the nation. In Maryland, potential cuts in defense would be offset by the booming cybersecurity industry. Illustrating the problem, last year it is estimated that \$300B in trade secrets were lost. He mentioned that some Tea Party members are beginning to moderate their views that could result in a compromise solution. Parts of Simpson-Bowles will most likely need to be adopted. Without tax cuts in other areas, he stated that a gas tax increase is unlikely to pass. P3s and tolling are probably more attainable. Regarding health care reform, the Congressman commented that without passing legislation it was estimated that health care costs would rise to \$25,000 per year. Since passage of the legislation health care costs have risen 4% on the average. He did acknowledge that there still needs to be modification to the current law.

A long-time supporter of ACEC/MD and the industry, Congressman Ruppersberger is a member of the powerful Select Committee on Intelligence. Congressman Ruppersberger has been a staunch advocate for the passage of legislation to improve and maintain our nation's crumbling infrastructure.

ACEC/MD AWARDS BANQUET SPONSORSHIP OPPORTUNITY

The American Council of Engineering Companies/Maryland (ACEC/MD) is pleased to offer interested firms the opportunity to cosponsor the ACEC/MD Awards Banquet. This annual event recognizes all finalists in our Engineering Excellence Awards Program, along with the recipients of the President's Award, the ACEC/MD Community Service Award, the Young Professional of the Year Award, and the ACEC/MD and Kahl Scholarships. This festive banquet will be held at the historic Garrett-Jacobs Mansion, 11 West Mount Vernon Place, Baltimore, on Thursday, February 21, 2013 from 6:00 – 9:00 PM.

Member firms, suppliers to the industry, and other interested parties are invited to participate in the celebration by co-sponsoring this event. Included in this sponsorship are:

- Recognition on a sign board posted at the event.
- Acknowledgement in the March-April, 2013 ACEC/MD Newsletter.
- Color advertisement in the February 21, 2013 event program.

The investment for sponsoring the event is only:

Platinum	inside front or back cover (portrait-6½" high x 4½" wide)*	\$1,000.00
Gold	full page vertical ad (portrait-6½" high x 4½" wide)*	\$500.00
Silver	½ page horizontal ad (horizontal-3½" high x 4½" wide)*	\$250.00
Bronze	Business card ad* (horizontal only)	\$100.00

(Please note: Platinum and Gold ads must be portrait; Silver and Bronze ads must be landscape.)

* Ad must adhere to the layout and size requirements; otherwise ACEC/MD is not responsible for the appearance.

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ACEC/MD AWARDS BANQUET SPONSORSHIP OPPORTUNITY
(continued)

To take advantage of this opportunity, email ad (color or black & white; .jpg-200dpi minimum or .eps format) to acecmd@aol.com, and mail a check for the level of sponsorship desired to the ACEC/MD office, 312 North Charles Street, Suite 200, Baltimore, MD 21201, by the close of business on **January 18, 2013**. For further information, please contact the ACEC/MD office at 410-539-1592.

We hope that you will join us in this celebration of "excellence in engineering," and at the same time take advantage of this opportunity to promote your company's name.

UPCOMING EVENTS - MARK YOUR CALENDAR!

- December 20, 2012 ACEC/MD General Membership Meeting Luncheon**
Baltimore. Hosted by the Fellows Committee, John Doehring will present a preview of "Fast Future! Fifteen Uber-Trends That Will Rock Our World."
- January 17, 2013 ACEC/MD Legislative Action Day**
Annapolis. Hosted by ACEC/MD's Legislative Committee and CEPAC attend visitations and an informal luncheon with members of the Maryland General Assembly.
- February 16, 2013 The Great FIREBALL 2013**
Baltimore. Benefiting the Garrett Jacobs Mansion Endowment Fund. Tickets for this sell-out fundraising event are \$175, and can be purchased by calling Jessica Souder at Leach Wallace Associates, 410-579-8100 or by emailing fireball@leachwallace.com
- March 5, 2013 ACEC/MD Program featuring Anirban Basu**
Baltimore. Respected local economist Anirban Basu will discuss his vision for the new economy.

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For more information on these, and other events, contact the ACEC/MD office at 410-539-1592, or [acecmd@acecmd.org](mailto:acecmd@acecmd.org).



**SAVE THE DATE!**

**JUNE 26-28, 2013**

**ACEC/MD 25TH ANNUAL CONFERENCE  
THE TIDES INN  
IRVINGTON, VA**

**MARK YOUR CALENDAR!**

contact:  
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**ACEC/MD 2012  
Engineering Excellence  
Grand Award winning  
entry The Mary  
Catherine Bunting  
Center submitted  
by AECOM**

