## THE MAGAZINE OF THE MAINE BETTER TRANSPORTATION ASSOCIATION





## MAKE TOUGH MOWING JOBS FEEL LIKE A WALK IN THE PARK.

If you have the will to take a stand in tough mowing conditions, the new hydraulic-drive WB700 walk-behind mower gives you winning precision for the battle.



Bobcat\*, the Bobcat logo and the colors of the Bobcat machine are registered trademarks of Bobcat Company in the United States and various other countries. ©2024 Bobcat Company. All rights reserved. 22494059



Jordan Equipment Company 18 BLACKSTRAP ROAD FALMOUTH, ME (207) 797-2240 Jordan Equipment Company 35 DAVES WAY HERMON, ME (207) 848-9036 Jordan Equipment Company 664 CIVIC CENTER DR. AUGUSTA, ME 207-309-3626

## WE BUILD

LIVES | CAREERS | CONNECTIONS



## The Rowley Agency is now Gallagher.

Same local commitment. New global strength.





At The Rowley Agency, we're proud to be part of Gallagher, a global insurance brokerage who shares our core values and a deep commitment to its employees, clients, and community. With our combined experience, we remain committed to helping your business and our community face the future with confidence.

Contact us: (603) 224 2562 | AJG.com



# THE MAGAZINE OF THE MAINE BETTER TRANSPORTATION ASSOCIATION

#### IN THIS ISSUE



#### PRESIDENT'S MESSAGE

6 The sky's the limit. Looking ahead.
By Erik Wiberg

#### ON RAMP

10 Portland Jetport named one of nation's top airports.

#### **COVER STORY**

12 Maine's harbor pilots.
Navigating choppy waters.
By Betty Adams

#### MAINEDOT NEWS

22 Briefs from the MaineDOT newsroom.

#### 28 MaineDOT Bureau of Planning.

Bringing ideas to life.

By Jennifer Grant

#### **ASSOCIATION NEWS**

- 32 Meet the new MBTA Executive Director.
- **34** New Year, new direction. Erik Wiberg voted president at 86th Annual Meeting.

#### MAINE NEWS

**48 Build Maine awards.** Reed & Reed and N.S. Giles win top honors.

#### **GUEST COLUMN**

52 Problematic contract clauses.

By John Cronan





#### MEMBER NEWS

- 54 In Memoriam: Ken Recker.
- 58 Down Memory Lane with Don Raye.

#### **EXIT RAMP**

64 Ferry years on the Kennebec.

**On the cover:** Approaching the Penobscot Narrows Bridge, Bucksport, Maine.

**Cover photo:** Captain Skip Strong, Penobscot Bay Pilots.



#### **Maine Better Transportation Association**

150 Capitol Street, Suite 5 • Augusta, Maine 04330 • (207) 622-0526 • www.mbtaonline.org
"Maine Trails" (ISSN-0047-5548 8) is published bi-monthly, for \$20 by the Maine Better Transportation Association, 150 Capitol
Street, Suite 5, Augusta, ME 04330. Periodicals postage paid at Augusta, Maine and additional mailing offices. Printed by
Cummings Printing. Postmaster: Please send address change to: Maine Trails • 150 Capitol Street, Suite 5, Augusta, ME 04330



## **BUILDING BETTER TOGETHER WITH OUR**



PROUDLY SERVING THE NORTHEAST AS ONE OF NEW ENGLAND'S LEADING CIVIL CONTRACTORS.

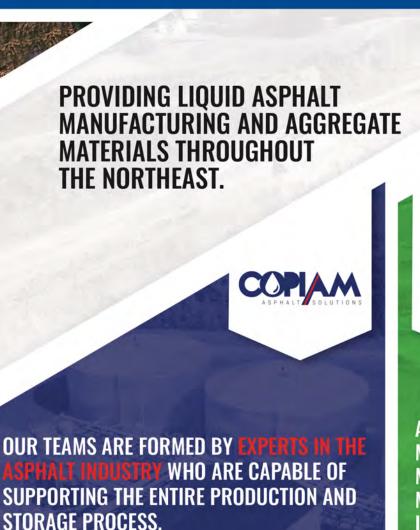


NORTHEAST-PAVING.COM 207.945.0873 | 953 ODLIN RD. BANGOR, ME 04401 FIND US ON SOCIAL MEDIA: **f (3)** 

## DELIVER THE HIGHEST QUALITY SERVICES AND PRODUCTS

- Paving & Asphalt •
- Site Development •
- Civil Construction
  - Design Build •

## CLIENTS, COMMUNITIES AND STAKEHOLDERS.



AS A TRUSTED NAME IN AGGREGATE
MANUFACTURING AND SUPPLY THROUGHOUT
MAINE, WE DELIVER QUALITY, SUSTAINABLE
MATERIALS TO SUPPORT YOUR

DIRIGO

MATERIALS



**AGGREGATES** 

RECYCLED PRODUCTS

**CRUSHING SERVICES** 

SCREENING SERVICES

WE MANUFACTURE BOTH NEAT AND PMA GRADE ASPHALTS.





## The sky's the limit for MBTA

#### A vision for the year ahead

By Erik Wiberg, President, Maine Better Transportation Association

T IS an honor to serve as President of the Maine Better Transportation Association. My first official act—and probably the most heartfelt—was to thank our past president, Michelle Ibarguen, for her remarkable leadership over the past year.

Michelle's depth of knowledge about association work, her impeccable organizational skills, steady hand, and boundless energy carried us through a very dynamic time. She juggled it all with grace, and made the job look easy. She left big shoes to fill and we are grateful for her leadership, her friendship, and her steadfast support, as well as that of her long-time employer, Cross Insurance.

As I begin my tenure, I reflect on the values that have shaped MBTA. My grandfather, Herb E. Sargent, taught us by example: work hard, share what you have, and serve your community. At his funeral, my cousin recounted summer rides in his convertible, with a stop at the ice cream stand and his signature line before ordering: "OK kiddies—get what you want, the sky's the limit!" Those words have stuck with me, and they reflect the potential of MBTA, too. The sky is the limit.

MBTA's mission is to be the leading voice for safe, reliable multimodal transportation infrastructure to enhance the economy and quality of life for Maine citizens. This mission is our North Star, guiding all MBTA's actions. We are a diverse community — designers, contractors, transporters, suppliers, public works departments, marine, rail, highway, and legal and financial experts — united by our commitment to building and maintaining the systems that connect our state and power our future.

#### **GOALS**

This year, I will be focusing on the goals of our strategic plan which are to advocate, collaborate, and educate. That starts with strong

governance. MBTA has a fantastic board filled with experienced, thoughtful leaders. We'll continue to engage through publications, regional meetings, professional development events, and our varied events.

But this year also brings change. This fall. we say goodbye to Maria Fuentes, our longtime executive director. Maria has been a driving force behind MBTA's success - growing our membership, increasing our impact, and ensuring that transportation remains a top priority in Augusta. We will welcome new leadership, and you can read about our new executive director, Jake Lachance, on page 32 of this issue. Speaking of new MBTA leadership. I'd like to recognize executive search committee members who gave so much of their time and effort in the process that began ten months ago: Chair Eric Ritchie from Sargent Corporation; Past President Paul Bradbury, Portland International Jetport; Alan Gould, White Cap/A.H. Harris; Past President Debbie Avasthi, Androscoggin Bank; Jason Griffiths, Pike Industries; and now immediate Past President Michelle Ibarquen, Cross Agency. It was an amazing committee and process to be a part of.

With change comes new ideas, but we will remain true to our mission. In that spirit, I want to share my priorities for the coming year:

#### **ADVOCACY**

We will continue to lead in the legislative and policy arenas. With state budget pressures mounting, we were so grateful that Governor Mills, along with the Legislature's Transportation Committee, held firm in their support of maintaining the 40% of sales tax on auto sales enacted in the last session to fund transportation projects. Sustainable funding is so crucial for MaineDOT and all users of our transportation system, along with the towns,



#### **ASSOCIATION OFFICERS**

**PRESIDENT** 

**ERIK WIBERG** 

R.W. Gillespie & Associates, Inc.

**VICE PRESIDENT** 

JASON GRIFFITHS

Pike Industries

2ND VICE PRESIDENT

ALAN GOULD

White Cap / A.H. Harris

SECRETARY-TREASURER

PARKER BROWN

**HNTB** Corporation

**IMMEDIATE PAST PRESIDENT** 

MICHELLE IBARGUEN

Cross Insurance

#### **BOARD OF DIRECTORS**

WAYNE BERRY

Northeast Paving Co.

PAUL BRADBURY

Portland International Jetport

PATRICK BRADY

Brady Law, PLLC

DEBORAH DUNLAP AVASTHI

Androscoggin Bank

TIMOTHY FOLSTER

TONY GRANDE

NY GRAND

STEPHEN JONES

Treadwell Franklin Infrastructure

DANA KNAPP

Concord Coach Lines

RODNEY LANE

Bangor

ROLAND LAVALLEE

**HNTB** Corporation

**BRADLEY LYON** 

Sebago Technics

DOUG MORRISON
Sargent

SUSAN MORRISON

CPM Constructors

MICHAEL O'BRIEN

Gallagher

BRIAN RAYMOND
Dirigo Materials

BRUCE RIDEOUT

Bitumar USA, Inc.

ERIC RITCHIE

Sargant

IRVIN SMITH

BET Transport

PATRICK SUGHRUE

Cianbro Corporation

ERIN SULLIVAN

Maine Turnpike Authority

CASEY TUTTLE

Conjam

**EXECUTIVE DIRECTOR** 

1ARIA FUENTES

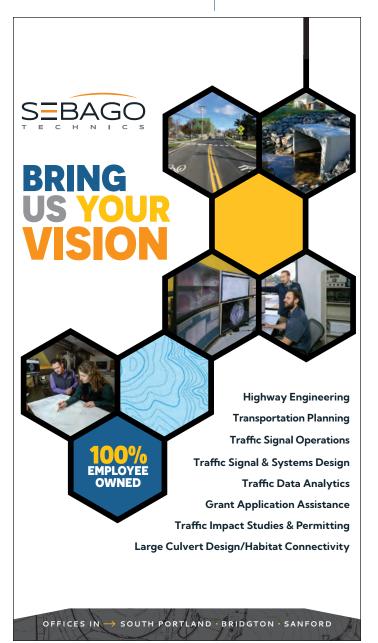


### READY TO CHECK ALL YOUR BOXES? REACH OUT TODAY!









planning agencies, and private sector firms that complete many of their projects.

#### **COLLABORATION**

MBTA offers so many ways to get involved. I encourage you to join a committee outside your comfort zone: if you are in engineering, consider membership recruitment. If you're in sales, explore the finance committee. We need event planners, fundraisers, policy works – and we need your unique perspective.

We also encourage you to "Be an Ask." Invite colleagues, rising leaders, and students to meetings and events. Help them discover how rewarding it is to contribute to MBTA. You'll be shaping the next generation of transportation advocates.

#### **EDUCATION**

Our public education and workforce development work is critical. We will continue collaborating with partners like MaineDOT, MTA, ASCE, AGC, WTS-Maine and so many others, but we also want to inspire young people. Bring a child or grandchild to work. Talk about how roads, rails, airports, and bridges shape our lives.

Several MBTA members are already leading this charge. The Portland Jetport and Amtrak Downeaster through NNEPRA sponsor permanent exhibits at the Children's Museum of Maine. The Maine Turnpike Authority's Peter Merfeld helped launch The Maine Section of ASCE's infrastructure exhibit at the Children's Discovery Museum. Sargent Corporation has worked to engage young girls in construction and transportation. These efforts matter — and we want to hear more about what you're doing so we can share and celebrate your work in Maine

And finally, there is another component of education that is so critical for all of us, our workers, and the traveling public. Let's all commit to keeping our work zones safe. Slowing down to work zone speed limits is not only the right thing to do, but it could save a life. Be the one who sets the pace for safety.

#### THE SKY'S THE LIMIT

MBTA is more than an association — it's a community. And with your help, we will make this year one of progress, purpose, and connection. So, remember: Be an Ask. And never forget — the sky's the limit. I look forward to working with all of you in the next year. 9



### 2025 MBTA CALENDAR

#### Thursday, August 7

AROOSTOOK COUNTY MEETING Presque Isle

#### Friday, September 19

FALL GOLF/CONVENTION Rockport

#### Saturday, September 20

FALL CONVENTION/OUTING Rockport

#### Saturday, September 20

**DEMPSEY CHALLENGE, Lewiston** 

**Tuesday, September 30** 

MENTAL HEALTH SUMMIT, Oakland

Friday, October 3

PDH TOUR, Brunswick

**Thursday, October 9** 

TRANSPORTATION ON TAP **Portland** 

#### **Thursday, October 16**

ASCE/WTS/MBTA PROGRAM Freeport

#### **Thursday, December 4**

MAINE TRANSPORTATION CONFERENCE Augusta

#### **Thursday, December 11**

SCHOLARSHIP/HOLIDAY MEETING, Orono



#### THIS IS THE CTL THAT CHECKS ALL THE BOXES.

With more torque, giving you the power you need to get things done. Completely re-imagined, it delivers enhanced grading, ride and stability. And its new cab layout simply redefines operator comfort. This is the complete package of power, performance and comfort.

### SEE FOR YOURSELF. CALL YOUR REP OR VISIT YOUR NEAREST LOCATION TODAY.

#### **SCARBOROUGH**

16 Pleasant Hill Road | (207) 885-8000

#### RRFWFR

79 Robertson Boulevard | (207) 991-3100

#### 0% FINANCING O AVAILABLE

INCLUDES A 2 YR./
1,000 HR. MAINTENANCE
PARTS KIT.

INCLUDES A 2-YEAR/ 2,000 HR. STANDARD WARRANTY.



www.miltoncat.com



### ON RAMP

#### A digest of recent transportation news



## Wheels up!

Portland Jetport soars as one of nation's top 50 airports



hen people think of airports, they often picture chaos, stress, and overpriced sandwiches. But Washington Post reporters Hannah Sampson, Edward Russel, and Andrew Van Dam set out to find exceptions, and we're proud to say that Maine's very own Portland International Jetport made the cut.

Among 2,300 reader responses, a clear trend emerged: travelers value airports that are easy to get to and navigate above all else. Natural light and high ceilings also stood out as top design features. Portland's Jetport checks all of those boxes. As Maine's largest airport and a proud member of the MBTA, PWM continues to offer a smooth and welcoming experience for both locals and visitors alike.

This ranking wasn't based on reader feedback alone. Van Dam used a data-driven approach, feeding nominations into an algorithm and incorporating over 450,000 Yelp reviews of airport shops, restaurants, and facilities. Starting with more than 450 airports, the team narrowed the list down to 50, after considering additional data on parking, gate capacity, and overall traveler experience.

Portland International Jetport ranked number 29 overall, an impressive showing that reflects its commitment to convenience, comfort, and high-quality service. Several other New England airports also earned spots: T.F. Green International came in at number 6, Tweed New Haven at 40, and Bradley International at 44.

Mainers who travel out of Portland are not surprised, but it's pretty cool to see the Jetport recognized for creating transportation experiences that are both efficient and enjoyable! 9

FMI: https://www.washingtonpost.com/travel/interactive/2025/ best-airports-us-ranking/



Quality & Class come together

## When quality & dependability matter, depend on Whited Truck Center!





#### 4 locations to serve you!!

207 Perry Road, Bangor ME 04401 ~ 800-439-3673 2160 Hotel Road, Auburn, ME 04210 ~ 800-235-3613 17 Houlton Road, Presque Isle, ME 04769 ~ 800-764-4150 837 Portland Road, Saco, ME 04072 ~ 844-430-6810



Thank You to all our valued customers for your support over the past 30+ years!
We look forward to serving all your trucking and construction needs in the many years to come!











Whited Truck Center is "YOUR" authorized Bandit Dealer for the State of Maine We have chippers & grinders to fit all your forestry needs big or small we have them all!!!! Call a location near you for more information.







We are Maine's newest Full-Service Factory Authorized Hyundai dealer and also offer all makes used equipment in our Auburn, Saco & Presque Isle locations. We offer Sales, Lease & Rental, as well as Parts & Service support with on road maintenance. We have over 30+ years of experience behind us and look forward to be able to offer our customers equipment to fit all your construction needs. Call Ryan Kennard at 207-346-0279 or Tim Pomerleau at 207-659-9992 for your equipment inquiries.







www.whitedpeterbilt.com ~ wv

www.whitedhyundai.com





AINE'S HARBOR and river pilots – the people who guide oil tankers, cargo ships and large cruise ships around hazards and into port – have seen their livelihood threatened by town-imposed passenger limits on visiting cruise ships and now are battling a proposed law change carrying another negative impact for their trade.

The Maine statute governing "Waters and Navigation" describes the vessels required to take a pilot: "Every foreign vessel and every American vessel under register (meaning those engaged in foreign trade), with a draft of 9 feet or more, entering or departing from any port or harbor within (designated coastal waters) must take a pilot licensed under this chapter." There's a civil penalty

assessed for those who fail to do so.

Maine has a total of 11 licensed pilots belonging in separate groups: the Penobscot Bay and River Pilots Association (PenBay Pilots) has five pilots; Portland Pilots, Inc., has four pilots; and Eastport Pilots USA and Quoddy Pilots USA Inc., each have one licensed pilot. Pilots specialize in a specific area, and as of September 24, 2025, they are all regulated by the auspices of the Maine Pilotage Commission

#### **GUARDIANS OF NAVIGATION**

The role of a pilot is centered on safety. The American Pilots' Association, which has about 1,200 members throughout the United States, says, "Each port or waterway area is

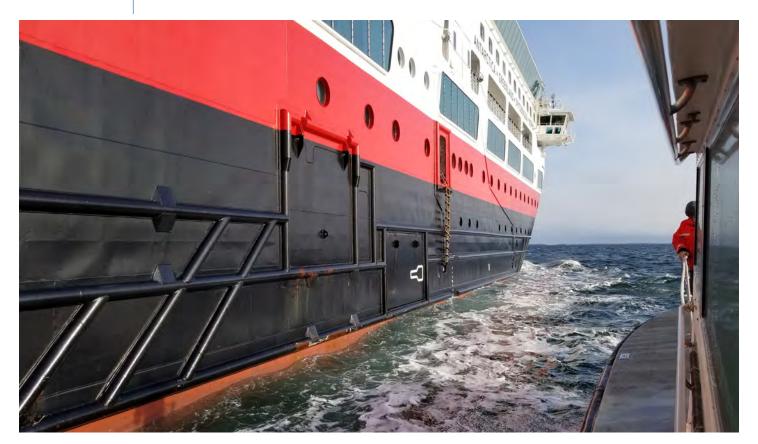


served by one pilot association or one regulated rotation system. . . In the United States, compulsory pilotage is considered navigation safety regulation. Although the state pilot is not an employee of the government or the port, the pilot performs a public service in which the pilot is expected to protect the waters where he or she operates by preventing ships from engaging in unsafe operations."

Maine pilot groups united recently in support for the successful legislative change which brought the Portland Pilots under the purview of the Maine Pilotage Commission rather than the Portland Board of Harbor Commissioners, and the two larger groups continue to oppose a proposal to exempt the ferry between Bar Harbor, Maine, and Yarmouth, Nova Scotia, from the requirement to use a pilot. That bill, LD 1477, was carried over to the next legislative session.

"I'm quite certain that most people in the state aren't even aware that we have a system of pilotage that takes care of all the tankers that come up and down bringing all the gasoline, and diesel and heating oil, so it's great to have a chance to bring that to people's attention," said Capt. David Gelinas, when he was asked to speak on the topic. He is president of PenBay Pilots and one of seven members of the Maine Pilotage Commission. PenBay Pilots handle vessels in Penobscot Bay, the Penobscot River and Frenchman's Bay.

That group, which has three full-time and two parttime pilots, handles "annually over 200 commercial Above: Drone shot of pilot boat approaching Veendam to put pilot aboard cruise ship





Until Bar Harbor passed their recent moratorium last year, Bar Harbor represented 50% of our gross revenue. We are basically on life support."

- Capt. David Gelinas, President of PenBay Pilots

deep-draft vessels. including tankers, freighters, and tug and barge combinations (which)

**Above: FRAM** headed for Rockland in 2018 Left: Captain David Gelinas, Searsport

call upon the ports of Searsport, Bucksport, Rockland, Brewer, and Bangor," according to its website.

That number was higher until the Town of Bar Harbor - known widely as the gateway to Acadia National Park - enacted an ordinance with a 1,000-person per day limit on cruise ship visitors. Bar Harbor voters rejected an increase in that limit at the polls in November 2024. And a ruling in appeal of that limit was pending in the U.S. District Court of Appeals for the First Circuit as of mid-July.

#### **ECONOMIC WAKE**

"Until Bar Harbor passed their recent moratorium last year, Bar Harbor represented 50% of our gross revenue," said Gelinas. "We are basically on life support. The work in Bar Harbor, which had been the only growing component, had paid for the all-weather boat we were able to acquire four years ago for Penobscot Bay to take care of all the oil tankers that come in year-round. It's been a huge knock on our ability to maintain the pilotage system."

Gelinas, who, like the other pilots in Maine, attended Maine Maritime Academy, said that becoming a pilot requires working in the maritime industry for some years to achieve the license grade. "Then you identify a group that has a need for new pilots, and you find a mutual good fit there," Gelinas said. "It's generally a training situation regardless of your experience at sea. It takes several years to train in a local area to become a state-licensed pilot for that area."

He added, "Simply because you're licensed in the State of Maine by the State of Maine does not make you a pilot everywhere in the state. For example, I could not be a pilot in Portland Harbor. I would have the ship-handling expertise, but it would take me years to make the training trips required to be a pilot down there, so it's a core concept of piloting that it's very, very local."

#### **PERILOUS COMMUTE**

The national pilot organization highlights safety in its website presentations.

"There's no doubt that getting back and forth to work is the most dangerous part of the job - just getting aboard the vessel," Gelinas said. "We're very proud of the fact that over the last roughly two and a half decades, Penobscot Bay River Pilots has constantly worked to upgrade the capabilities of our equipment. When I started piloting 33 years ago, we used lobster boats exclusively to come alongside ships, and we had the benefit of outstanding captains on those vessels. Still, there is no denying that a lobster boat is not designed with the same degree of purpose and safety that a dedicated pilot boat is for the rigors of landing alongside ships in offshore waters."

The group acquired its first pilot vessel around 2003 and five years ago was able to obtain a used Gladding-Hearn 53-foot aluminum pilot boat from the Virginia Pilots Association. It is currently being used in Penobscot Bay and the other vessel is in Bar Harbor.

"We now have two dedicated pilot boats with full-time captains and a roster of deckhands," Gelinas said. "Having that type of equipment versus the way we were doing it 25 years ago is just a tremendous boon to safety as well as efficiency for the port because we can operate under a wider range of weather conditions with the safer boats."

#### PORTSIDE PRECISION

Gelinas noted that a great deal of work and communication and coordination goes on behind the scenes even before a ship arrives: "We are a tide-constrained port. We have changeable weather conditions, we have



He said pilots generally get a minimum of 5-7 days' notice – sometimes less – of an arriving ship although cruise ships were scheduled much longer in advance.

Gelinas noted that Portland is a much busier port in terms of total ship arrivals, but Penobscot Bay is roughly 3 to 31/2 times longer, requiring a longer pilotage. "From the time we board a ship until we get to the dock it can be anything from three to six hours,

depending on the job, he said. PenBay Pilots board the ships out by Matinicus and Monhegan islands for vessels bound for Bucksport or Searsport.

Tankers are the most frequently piloted vessels, then freighters. The Number 1 cargo is oil, including heating oil, various grades of gasoline, diesel, kerosene, jet fuel, asphalt. Freighters carry windmill components, road salt, and paper products among other items. Tugboats moving oil barges generally use pilots unless the captains are experienced in that particular area.

As far as unusual cargo, Gelinas recalled one year when a vessel carried old steam locomotives from Europe. "They were bound for one of the local tourist railways," he said. "And one of the more interesting jobs I had many decades ago was one particular year when we had a very wet spring and the loggers couldn't get out into the woods to get sufficient fiber for the mills, so we were importing raw logs from Canada by barge. Because the barges were stacked so high – thousands of cords of

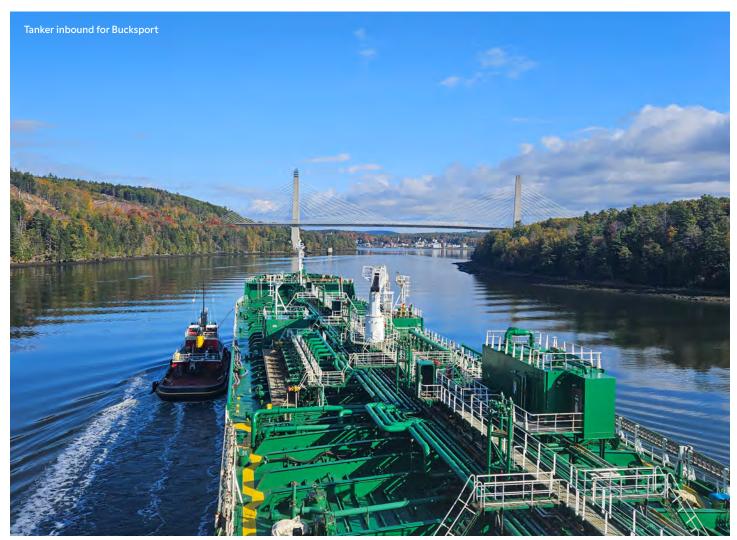
wood on a barge – I had to climb up to the top of the wood pile to dock the vessel to give the command to the tugboats because that's the only way you could see the dock and see the vessel and see the whole picture of what was going on."

And unless you're a pilot, don't expect to board a vessel from a pilot boat. "We try to get legislators out to ride the pilot boat to see the job, to see the transfer. But we're the only ones that are gonna be climbing that ladder offshore," Gelinas said.

Gelinas noted that Maine was the last state to exercise its right to have compulsory pilotage and did so in 1969.

#### PROTECTING PUBLIC SAFETY

"The purpose of a state pilot is to direct the navigation of the vessel and keep in mind the best interest of the state, not the ship owner," Gelinas said. "We don't work for the ship owner even though the ship owner pays us. We make our decisions based on safety. I don't understand why legislators are struggling



PHOTOS: CAPT. SKIP STRONG, PENOBSCOT BAY PILOTS; (OPPOSITE MIDDLE) DAVE SMITH, PORTLAND PILOTS, INC.



with (LD 1477). A ferry exemption would bring absolutely no benefit to anyone in the state, and in fact, the sole beneficiary to such legislation, should it pass, would be a single Canadian businessman." Gelinas continued: "The only goal that the proposed legislation would achieve would be to remove constitutionally granted state oversight of navigation of vessels in Maine coastal waters, for the exclusive benefit of adding to the bottom line of a heavily subsidized foreign corporation."

He said he is also concerned that Bar Harbor's regulating the number of cruise ship passengers might lead to ordinances against certain cargos. "You start talking about local municipalities regulating what is in essence international commerce, and that is fraught with peril in ways people have not thought through."

Capt. Calvin Klopp, president of Portland Pilots, Inc., also weighed in at legislative hearings against the bill that would exempt the international ferry from the state pilotage requirement. The CAT, a high-speed vessel, is U.S. flagged and leased to the Canadian company, Bay Ferries Ltd.

"Really it comes down to safety," Klopp said. "The safety of Maine waters is most paramount. Portland Pilots, PenBay Pilots, our customers are the shipping companies, but actually our customers are the State of Maine. We act on behalf of the people of the State of Maine to keep the waters safe."



"The safety of Maine waters is most paramount. Portland Pilots, PenBay Pilots, our customers are the shipping companies, but actually our customers are the State of Maine. — Capt. Calvin Klopp, President of Portland Pilots, Inc.

#### PILOTS STATEWIDE UNIFIED **AGAINST LD 1477**

"With regard to the Bar Harbor-Yarmouth ferry, he said, "You've got a ferry that's over 8,000 tons. It carries 800-plus people. It carries tens of thousands of gallons of fuel. It's

Top: Captain Gelinas crossing from a tug to pilot boat Above: Captain Calvin Klopp





Top: Bridge of cruise ship anchored, prior to sailing Above: Penobscot Bay pilot following a Great Eastern tanker

a tremendous liability and hazard, and having the most qualified individuals aboard it is basically what Maine's pilotage regulations dictate; that's the goal of the regulations. If you take that layer of safety away, you're isolating yourself from every other coastal state where this stuff is required."

The previous ferries were exempt from the pilotage requirement until 2012. "The state aligned itself with the rest of the industry and said, 'We're a little more risk averse now. We're not willing to take the risk and allow these vessels to enter without pilots," Klopp said.

He also cited the economic impact on the industry: "It's extremely expensive to run a pilot operation service, and you take away one section of business and then the prices have to go up to all the other customers to fill that void."

Portland Pilots see 55% of their traffic from oil tankers from Irving Energy in St. John, New Brunswick, carrying similar products as the PenBay group. They also anticipate piloting between 105-110 cruise ships as well as a weekly Eimskip container ship, various mega yachts and some tugs and barges.

Portland Pilots board vessels six miles southeast of Two Lights State Park in Cape Elizabeth. The whole transit is 10-12 miles depending on the berth and takes an hour or an hour and a half, according to Klopp said. He noted that while Portland harbor is naturally one of deepest draft harbors on the East Coast, it's also the busiest harbor for small boat traffic.

#### **SAFETY FIRST AND ALWAYS**

Klopp cited a section of the "Declaration of policy" for Maine's pilotage law which says it provides "for a system of state pilotage in order to provide maximum safety from the dangers of navigation for vessels entering or leaving (Maine's) waters . . . to maintain a state pilotage system devoted to the preservation and protection of lives, property, the environment and vessels entering or leaving these waters at the highest standard of efficiency and to insure the availability of pilots well qualified for the discharge of their duties in aid of commerce and navigation."

Klopp stressed safety during his testimony in opposition to LD 1477, noting: "Sea pilots are the best-trained and experienced mariners in the ports for which they are licensed, and having a sea pilot directing the navigation of a vessel is the best insurance policy against marine accidents that can cause loss of life or environmental disaster."

#### **NAVIGATING WITH FAMILIARITY**

Capt. Bob Peacock, of Quoddy Pilots USA in Eastport, and Capt. Gerald Morrison, of Eastport Pilots USA, Inc., are the two northeasternmost pilots in Maine. While they have two separate pilot companies, they take turns

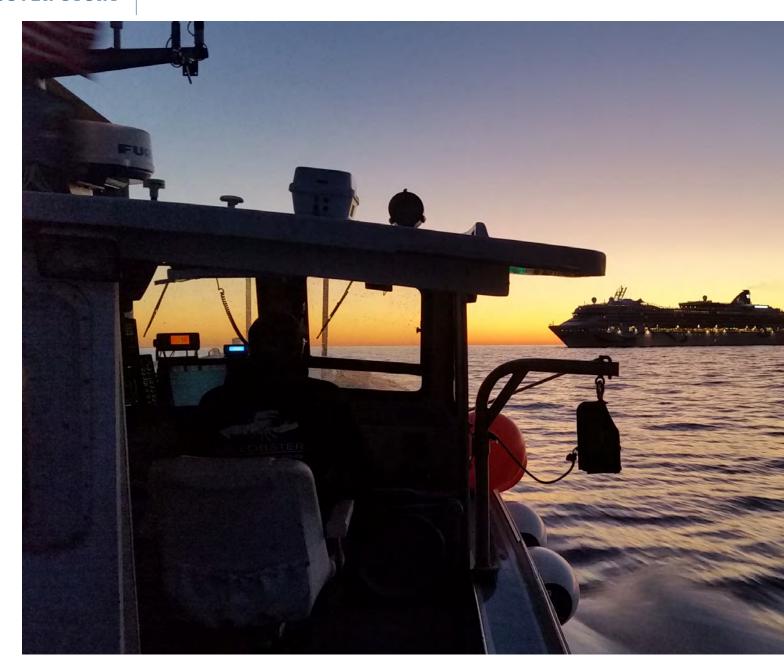
## Crack seal now or fill potholes later.

Regular routine maintenance of your road network keeps your asphalt in good condition, saving taxpayer money. For everywhere on the curve, we're here to help.





Always Commitment indusinc.com/totalcurve



Above: Pilot boat (also a fishing boat) headed out to put pilot aboard a cruise ship bound for Bar Harbor piloting the ships in the Eastport, Cobscook and Passamaquoddy area.

"If somebody gets sick or you've got a wedding, or things going on with your kids, the other person can do the job," Peacock said. While he wrote to the Legislature's Transportation Committee in May in support of the bill that brought the Portland Pilots under the Maine Pilotage Commission, he is opposed to giving the ferry an exemption from the piloting requirement.

Peacock has been a pilot in Maine since 1976 – and a pilot in the Great Lakes for six years prior to that. "I've worked in Bar Harbor and Penobscot Bay and here," he said from his home in Eastport.

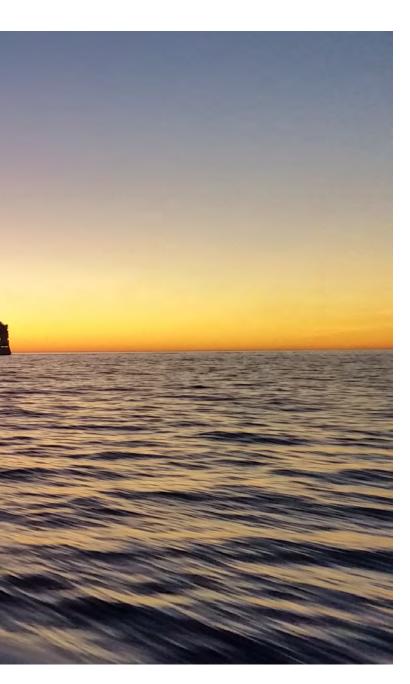
He said the local knowledge keeps everyone safe. "For us, knowing which lobster season is open, Canadian or American; who's setting traps and who isn't, what's the best way to go around fishing gear and is there a yacht race today? That's what we're hired to do: provide the

local knowledge, knowing what the tides and currents are doing, knowing what the fisheries are doing, knowing what the other traffic is. We're the local brains. The captains know how to run the ships, but they don't know what happened last night. That's the key for us: to give them all the information we could possibly give them to let them do their job safely."

Then there's the critical timing for the tides, which Peacock said can have a 12-foot difference between high and low one week, yet a week later, a 25-foot difference. "You can do things on a 12-foot tide that you'd never dare to do on a 25-foot tide. It's knowing what the effects of those tides are that is critical."

He had most recently piloted a 785-foot-long cruise ship with 1,361 passengers and 780 crew arriving from Boston and sailing onto Sydney, Nova Scotia.

At Eastport Pilots, Capt. Gerald Morrison (a nephew of the late Eldon Morrison, founder and CEO of CPM Constructors)



has been a licensed pilot for 40 years. "Since we don't have a lot of traffic, I have other businesses." They include a marine fabrication business (which he is turning over to a relative) as well as a marina and a private dock that he's rebuilding in Eastport. He pointed out that 800 feet is the limit for the length of a ship at the downtown berth, and the longer ones anchor out and visitors come in on smaller craft.

And as for the agreement with fellow pilot Peacock to do every other ship. "It was all done on a handshake 30-40 years ago," Morrison said. 9

**About the author:** Betty Adams is a freelance writer and journalism instructor. She lives in Augusta and can be reached at adamsbetty00@gmail.com. **FMI:** Pen Bay Pilots — www.penbaypilots.com LD 1477 - https://legislature.maine.gov/legis/bills/ display\_ps.asp?LD=1477&snum=132



### **Briefs from the** MaineDOT newsroom

#### Welcome to MaineDOT's new voice

AINEDOT RECENTLY announced the appointment of Andrew C. Gobeil as its new Director of Public Information. In this role, Gobeil leads a creative team dedicated to sharing stories about MaineDOT's work and fostering strong connections with the public. He also serves as the department's spokesperson and provides strategic communications counsel to MaineDOT leadership.

A New England native, Gobeil brings decades of high-level experience in both journalism and public service. His distinguished career began at age fifteen as a radio newscaster, eventually taking him to the White House as a national television correspondent. Most recently, he served as Communications Director at Hartsfield-Jackson Atlanta International Airport, the world's busiest airport. Over the years, Gobeil has flown into hurricanes, walked into forest fires, and once pulled 9Gs in an Air Force F-16 jet, all in pursuit of impactful storytelling.

Gobeil now resides in Owls Head with his partner Kathy and their dog Jib. He is also the proud father of two adult sons. MaineDOT is confident that his expertise and passion will enhance the department's ability to communicate the importance of its work and the ways it benefits Mainers every day.

Gobeil began his tenure with MaineDOT on June 9. The department already appreciates the insight and energy he brings to this vital role. •



#### **New Maine State Ferry director**



AINEDOT ALSO recently hired Edward J. "EJ" Dupont as the new Director of the Maine State Ferry Service. A seasoned leader with decades of experience in high-stakes environments, Dupont steps into the role following a 32-year career in the U.S. Army and U.S. Department of State.

During his military and diplomatic service, Dupont held senior operational posts in embassies across Africa and Europe, including leadership roles in Liberia, Uganda, Belgium, and at the U.S. Mission to the European Union. His background includes oversight of logistics, operations, and security. In a release, MaineDOT noted that his skills translate well to the complex task of managing Maine's island transportation network.

As director, Dupont will oversee all aspects of the Ferry Service, from infrastructure and ticketing systems to customer experience, staff training, safety compliance, and coordination with the U.S. Coast Guard.

A fluent French and Portuguese speaker, Dupont holds a bachelor's degree in history and a master's in management. Though his work has taken him around the world, he has long-standing ties to Maine, where he grew up and now lives in Wiscasset with his wife. Dupont officially began his new role on July 14. 9

#### Waterville, **Ticonic Bridge**

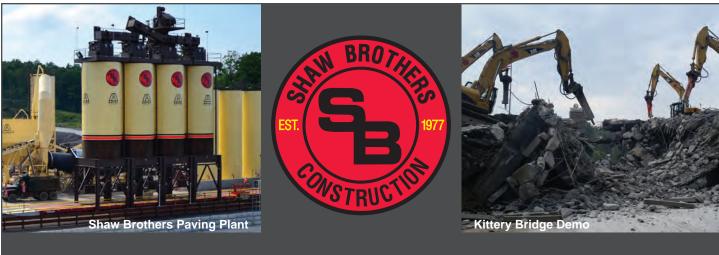
SIGNIFICANT MILESTONE was achieved on the Ticonic Bridge Project in Waterville as the eastbound lane of Cianbro's new bridge reopened to traffic, allowing vehicles to cross the river in one direction. With sidewalk and median paving, guardrail installation, and final striping now complete, Phase 1 of the project is nearly finished. Phase 2, which will ultimately allow for full, two-way bridge traffic, is on track for completion in

CIANBRO August 2026. 9



HOTOS: COURTESY MAINEDOT





## GENERAL CONTRACTORS

**HIGHWAY • SITE • UTILITY • PAVING • AGGREGATES** 

Tel: (207) 839-2552 Fax: (207) 839-6239 Gorham, ME 04038

Web Site: www.shawbrothers.com E-Mail: info@shawbrothers.com



#### **Brighton Plantation,** culvert replacement

RIGHTON PLANTATION recently saw the successful replacement of aging twin culverts with a new 8'x10'x100' concrete box culvert, an impressive achievement completed in under a week. The project began on June 9, was backfilled and reopened to traffic by June 13, and fully paved by June 17.

This effort by MaineDOT's Region 3 brought together the expertise of crews from Kingfield and Athens, along with Michie Concrete, Keeley Crane, and Bemis Construction. Their collaborative work delivered this pre-buy project efficiently and safely, providing vital infrastructure improvements for the community. 9



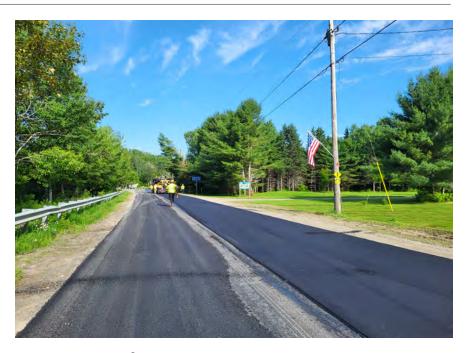




#### Van Buren, Route 1

D PELLETIER is also the contractor along Route 1 in Van Buren, where the team has made strong strides on a major road rehabilitation project. Utility coordination has proceeded smoothly, and next up is drainage work. During construction, crews enjoyed an unexpected moment of levity when a curious turtle made its way through the entire work zone, delighting flaggers before continuing toward the river. The project remains on schedule for completion in June 2026. 9





#### St. Francis-Allagash, Route 161

**■**ORK IS progressing steadily on the Route 161 project between Saint Francis and Allagash, thanks to the dedicated efforts of Northeast Paving and its earthwork subcontractor, Ed Pelletier & Sons. This extensive two-year undertaking spans approximately 18 miles, a stretch of road that has not seen significant improvements in many years.

Crews recently completed the variable gravel placement and are now preparing the shoulders for full-depth reclamation and additional gravel work. This project is part of the state's Collector Highway Improvement Program and is designed to deliver essential upgrades to the only public route linking Fort Kent with the communities to the west.

The work remains on schedule, with completion anticipated in fall 2025. •









**Site & Concrete Contractor Building structures Concrete structures** Highway/ road Landfills Site work



Sand Gravel Stone Rip rap Landscape products

**Gendron & Gendron** 

**Gendron Aggregates** 

Since 1971 (207) 782-7372 | 50 Alfred Plourde Parkway Lewiston, ME 04240



#### Searsport, Route 1 highway construction

ORDON CONTRACTING is nearing the finish line on its extensive Searsport Route 1 project. Nearly all punch list items have been addressed, with final striping completed and roadways thoroughly swept. Only two minor tasks remain: applying a top layer of mastic to a sewer manhole and resetting a speed limit sign, both of which are expected to be completed soon.

This \$17.8 million undertaking, which benefited from \$9.2 million in Congressionally Directed Spending, has delivered significant upgrades to a two-mile stretch through downtown Searsport. Improvements include a new center turn lane, continuous sidewalks, enhanced pedestrian lighting, and attractive brickwork, all contributing to a more functional and welcoming corridor. •



## I-95 and I-295 project to install traffic cameras

AINEDOT IS rolling out a new safety project that will install traffic cameras along key points of I-295 and I-95. The work spans three counties: Cumberland, Kennebec, and Somerset. It also includes installation at several high-traffic interchanges: Exits 10, 15, and 20 on I-295 (Falmouth, Cumberland, and Freeport), and Exits 109, 112, 127, 130, and 133 (Augusta to Fairfield).

The \$969,000 project awarded to Electric Light, Inc. of Cape Neddick, began at the end of July, with completion expected by October 30. Motorists may encounter shoulder closures in active work zones, and some of the work will take place at night. Once complete, the cameras will enhance traffic monitoring and support safer, more efficient travel along two of Maine's busiest highway corridors. •

#### Skowhegan, Norridgewock Avenue sidewalk improvements

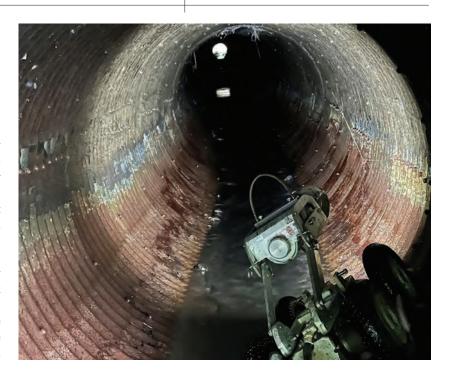
along Norridgewock Avenue in Skowhegan, where Ranger Construction is constructing 0.35 miles of new sidewalk complete with ADA-compliant upgrades, drainage improvements, and water utility work. The project extends from the Margaret Chase Smith Library to Coburn Avenue and is scheduled for completion in August 2025.

Recently, Ranger Construction completed the installation and testing of a new 8-inch water main, marking a significant milestone in the project. In addition, Vortex





performed a robotic inspection of a 36-inch drainage pipe using advanced remote camera technology. This innovative approach provided valuable insight into the existing infrastructure while minimizing disruption to traffic. •



MBTA thanks MaineDOT Creative Services for sharing DOT briefs and photos.

## REED & REED

#### A 100% EMPLOYEE OWNED COMPANY

Building Bridges to Our Transportation and Energy Future









275 River Road, Woolwich, ME | (207) 443-9747 | www.reed-reed.com





JENNIFER GRANT **Director of Planning** 

### **Bringing** Ideas to Life

MaineDOT's **Planning Bureau** leads with vision and partnership

EFORE THE first shovel hits the ground or cranes rise into the sky, planning is already hard at work. At MaineDOT, the Bureau of Planning is where ideas begin to take shape — long before construction crews arrive. In fact, we are often the first point of contact for communities, citizens, stakeholders, or businesses seeking support or guidance on transportation issues. In many ways, planning is the face of the agency.

What makes this possible is the broad range of expertise and experiences found within our bureau. Our staff comes from diverse educational and professional backgrounds, which allows us to approach planning from multiple perspectives. But we also share something deeper: a passion for Maine. Some of us were born here, others chose to make Maine home — all of us are united by our commitment to preserving the qualities that make this state special.

That shared passion resonates with communities across the state. Local planners and civic leaders regularly reach out to MaineDOT in hopes of capturing that same authentic Maine character in their own towns and cities — all while supporting regional economies and enhancing quality of life. Our planning staff help make those goals achievable, offering both vision and the technical know-how to connect communities with the resources they need.

#### **COMMUNITY-FOCUSED PLANNING**

One of our most effective strategies is simple: help communities reimagine their gateways - those vital village and downtown areas — and turn them into places where people want to be. That's the heart of our Village Partnership Initiative (VPI), just one of several community-based programs that bring people and infrastructure together.

Whether the goal is safety, accessibility, or economic revitalization, we work hand-in-hand with public and private partners to help communities develop transportation systems that work for everyone drivers, riders, pedestrians, and bicyclists alike. These changes often move us back to a more human scale, where streets feel safer and more vibrant.

In the last few years alone, our Community Planning and Scoping Unit has collaborated with more than 40 communities across Maine to develop transportation visions and pursue planning efforts. Many of these efforts have advanced to preliminary engineering and design stages — and some are now moving toward implementation, often with support from Congressionally Directed Spending (CDS) or Competitive Grants.

#### PARTNERSHIPS THAT DELIVER

Our community-based initiatives include:

- Village Partnership Initiative (VPI)
- Active Transportation Partnership Initiative (launched in 2025)

- Planning Partnership Initiative
- Urban Partnership Initiative
- Business Partnership Initiative
- Municipal Partnership Initiative

Beyond these programs, MaineDOT partners with transit providers, freight rail companies, NNEPRA, harbor authorities, and private businesses through funding mechanisms like the Industrial Rail Access Program (IRAP), Small Harbor Improvement Program (SHIP), and other initiatives that match local and federal funds.

These partnerships work best when everyone has a stake in the outcome. That's why MaineDOT requires a local cost-share for many projects — a practice now guided by our recently updated Local Cost-Share Policy, which determines contributions based on project type and funding source.

#### **GUIDED BY A FAMILY OF PLANS**

Of course, we're not just focused on the present. Our bureau also leads the development of MaineDOT's major planning documents — a "Family of Plans" finalized in 2023. This suite includes our Long-Range Transportation Plan and modal plans for active transportation, transit, rail, and aviation. Together, they set the strategic vision for Maine's transportation future — and we have already begun implementing key strategies and initiatives identified in these plans.

#### **NEW APPROACHES** TO SAFER STREETS

In late 2024, we rolled out two important updates: a revised Complete Streets Policy and a new Local Cost-Share Policy, both of which were key action items in the Family of Plans. Alongside those, we introduced MaineDOT's Roadway Context Classifications — a new framework for applying Complete Streets design elements in a way that reflects the character and function of each corridor.

This new classification system also integrates with updates to MaineDOT's Speed-Limit Setting Process, helping ensure that transportation decisions support safety and context-sensitive design across the state.

#### **PLANNING WITH A PURPOSE**

At its core, planning is more than documents and designs - it's about people, places, and purpose. We don't plan for the sake of planning; we plan to build, implement, and to improve the transportation network in ways that matter to Maine residents and visitors.

We do this through partnerships, technical support, funding options, and a shared belief that great ideas can take root anywhere. The Bureau of Planning stands ready to help communities shape those ideas — and turn them into reality. ♥

# Grondin

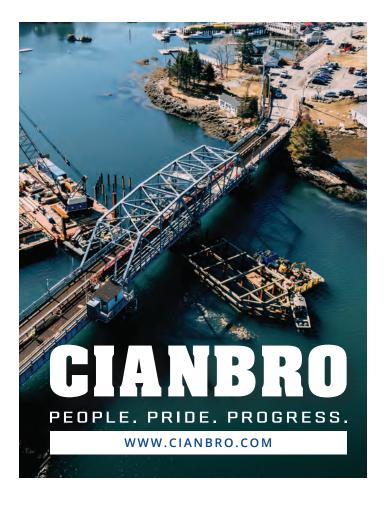


#### R. J. Grondin & Sons

11 Bartlett Road, Gorham, Maine 04038

EARTHMOVING SPECIALIST WITH INDUSTRY REPUTATION FOR EXCELLENCE AND INTEGRITY

Highway / Heavy Construction Commercial • Industrial • Residential Site Work • Utilities Corporate Sales 207-883-3852 | Materials Sales 207-839-5544





At Team EJP, we recognize how important water is, and we take it seriously. That's why we provide reliable products and services for water, wastewater, stormwater, erosion control, and smart utility solutions. Our professionals stand ready to assist you, from our product specialists to our 24-hour emergency service department.



Portland, ME 207-797-3330 Bangor, ME 207-990-5000



1-800-EJP-24HR www.ejprescott.com

Caribou, ME 207-952-4893 Gardiner, ME 207-582-2006

#### Thank you for renewing!

The MBTA would like to recognize the following corporate members for their ongoing support.

- AECOM
- Core & Main
- Curb & Sidewalk Solutions, Inc. dba CurbSol
- W. S. Emerson Company, Inc.
- Frankenmuth Insurance Company
- The Jackson Laboratory
- Robert W. Libby & Sons, Inc.
- Machias Savings Bank
- Seth McCoy's Trucking & Excavating, LLC
- Sales Solutions, Inc.
- USI Insurance Services
- UNIQUE Paving Materials
- United Concrete Products

#### **MBTA** welcomes these new members

#### **CORPORATE MEMBERS**

#### **COMPLETE LABOR AND STAFFING**

64 Lisbon St., Lewiston, ME 04240-8064

Phone: 978-954-7067

Email: whouston@completelaborandstaffing.

com

Contact: Will Houston

Recruited by: Sam Grande

We are a privately owned New England-based labor provider and contract flagging company with offices in Maine, New Hampshire,

Massachusetts and Connecticut.

#### MICHAEL BAKER INTERNATIONAL

890 Winter St., Ste. 208, Waltham, MA 02451-1493

Phone: 617-528-6251

Email: darren.benoit@mbakerintl.com

Contact: Darren Benoit Recruited by: Staff

With offices and projects across the nation, Michael Baker brings a local presence with global expertise to our clients and communities. We have the reach to serve clients in every state across the country.

#### **INDIVIDUAL MEMBERS**

**Betty Adams Tony Grande** Alec Peralta

## **Cote Crane & Rigging**





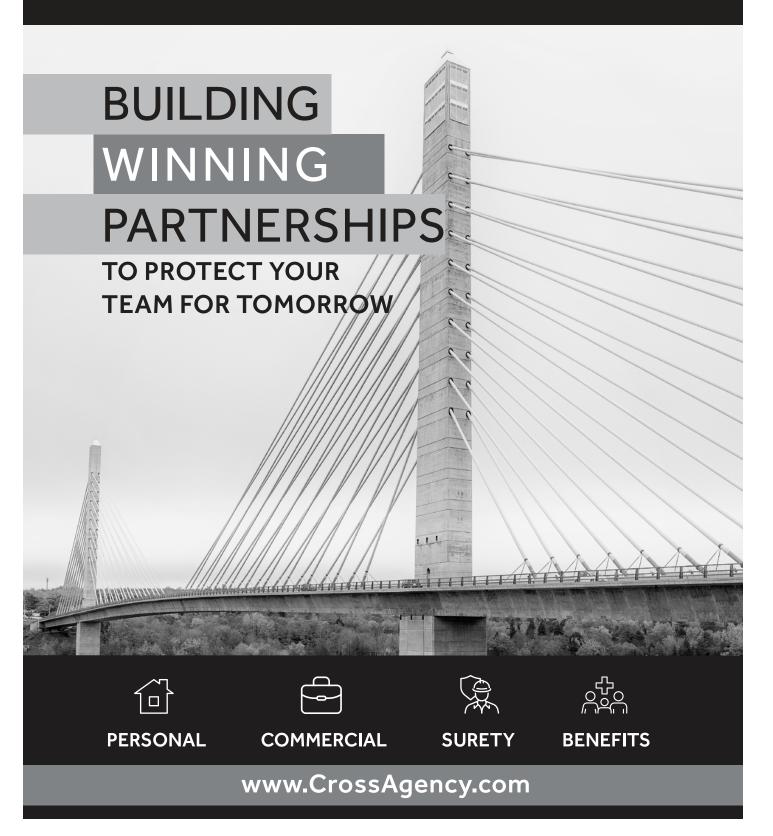
**Crane & Rigging Services** Millwright · Machinery Moving Trucking · Warehousing Cranes up to 300 Ton Capacity

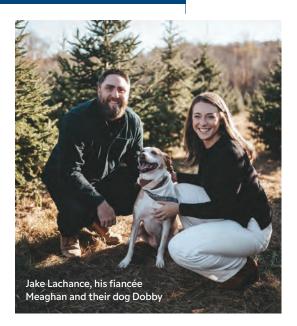
A Family-Owned Maine Company Since 1966!

2980 HOTEL ROAD · AUBURN, MAINE 04210 · WWW.COTECRANE.COM









#### A note from MBTA executive director Jake Lachance

Hello MBTA Members and Partners.

AM TRULY honored and humbled to introduce myself as the new Executive Director of the Maine Better Transportation Association. MBTA has a rich history here in Maine, dedicated to serving the transportation/infrastructure family since 1939. I use the term family intentionally, as I have already seen the care, compassion, and dedication of this group while growing up in our great state.

I would be remiss if I did not first thank

Maria Fuentes, who will retire on August 29. Maria has been the heart and soul of MBTA for over 30 years and has grown this community exponentially with grace, kindness, and thoughtful consideration. I would also like to thank the MBTA Search Committee, the Board, and the members for entrusting me to fill the very large shoes Maria is leaving behind. In all my interactions to date, I have been able to feel the passion everyone feels regarding this organization and its success. An association is only as good as its members, and I feel as though I could not ask for a better group of people to represent. Thanks to the board, members, and the entire MBTA staff, the organization is in good standing, and I look forward to

> being a part of our future growth!

I am a born and raised Mainer. having grown up in

Augusta and graduating from Cony High School. In 2014, I graduated from the College of the Holy Cross with a degree in Political Science. Over the next decade, I served the City of South Portland and the Town of Cumberland Police Departments, leaving the latter as Captain, where I ran day-to-day operations. I left law enforcement in 2024, joining the Maine State Chamber of Commerce Advocacy team, where I lobbied on behalf of the business community in the areas of labor, insurance, healthcare, financial services, and economic development. I currently live in Windham with my fiancée, Meaghan, and our dog, Dobby. While at the Chamber, I quickly realized the business community needs two fundamental properties to be successful: consistency and predictability. My goal is to operate with open communication and transparency to achieve these goals.

Looking ahead, I will work hard to ensure that you receive the highest quality of engagement and support that we can provide. Our foundation is strong, steadfast, and resilient. As you are aware, operating in this space is not always easy. Challenges at the local, state, and federal levels have been, and will continue to be, present whether it is funding, operational developments, or politics. It is my commitment to you that the MBTA will be the information source and support network you deserve to continue operating your organization at the highest level possible.

With that, I want you to know that my door is always open to you at any time. My email is jake@mbtaonline.org, and my cell is 207-242-3454. Please reach out any day at any time. I honestly believe that this organization's strength lies in its membership, and the more I can stay in contact with you, the more we can further our mission of providing a safe and efficient transportation network for all of Maine. 9

With enthusiasm, Jake Lachance

#### **MBTA** hires communications specialist



Hannah Heady

HE MAINE Better Transportation Association (MBTA) is pleased to announce the addition of Hannah Heady as a communications specialist for the summer. Heady is a 2025 graduate of the

New England School of Communications (NESCom) at Husson University and holds a degree in Marketing Communications.

"We are excited to welcome Hannah to our team," said MBTA President Erik Wiberg. "Her distinguished academic achievements-including graduating magna cum laude - are matched by the valuable real-world experience she gained through class projects, internships, and part-time and summer work during her studies."

Heady brings a well-rounded background in marketing and design to the team. She previously worked as a digital marketer for an advertising agency in Portland and served as a marketing assistant at Husson University. At NESCom, she assumed a leadership role in the studentrun ad agency, serving as account executive for the University's Gracie Theatre. In that role, she led efforts to promote upcoming shows, overseeing a team that developed designs, posters, and both digital and print ads - often while meeting tight deadlines.

At MBTA, Heady will be responsible for creating dynamic, visually engaging content for the Association's social media platforms, developing promotional materials and event flyers, and assisting in the production of Maine Trails magazine.

Wiberg added: "With specialized certificates in User Experience, Graphic Design, Digital Marketing, and Social Media Marketing, Hannah brings a diverse and valuable skill set that will strengthen the Association's outreach and engagement efforts. We encourage members to connect with her at hannah@mbtaonline.org and share news from their organizations for inclusion on MBTA's social media channels or in the Maine Trails magazine." 9



Since 1935

Constructing Maine's Future with a Tradition of Excellence



- Heavy/Highway Construction
- · Underground Utility Installation/Repairs
- Commercial Site Preparation/Construction
- · Airport/Airfield Construction
- Wetland Construction/Remediation
- · Bituminous Pavement Installation



- · Cold Milling and Reclaiming of Existing Pavement
- Aggregate Production and Sales
- **Bituminous Pavement Production and Sales**
- Crane Work
- Snow Removal/Winter Services
- Design-Build Projects

Stone, gravel and hot mix available Saturdays 6:00am - 1:00pm during paving season (please call the day before for large volumes)

Office: 207.729.3331 | Fax: 207.725.0926 | 103 Lewiston Road, P.O. Box 5001, Topsham, Maine 04086 An Equal Opportunity, Affirmative Action Employer







#### **PLANT LOCATIONS:**

982 Minot Ave., Auburn, Maine 04210 Phone: 207-784-1388 | Fax: 866-414-9083

1717 Stillwater Ave., Veazie, Maine 04401 Phone: 207-947-8334 | Fax: 866-414-9083





### New Year, **New Direction**

86th Annual Meeting looks to the future

HANGE WAS in the air at the MBTA's 86th Annual Meeting, held May 22 at the Hilton Garden Inn in Freeport. With more than 200 attendees. the event marked a transi-

tion in leadership as members elected new officers – including a new president who set an ambitious tone for the year ahead. Outgoing president Michelle Ibarquen opened the meeting by introducing a panel of transportation and economic experts, continuing the tradition that has become a hallmark of the annual gathering.

#### **ECONOMIC OUTLOOK: Uncertainty and Growth**

Amanda Rector, Maine State Economist, offered an overview of the state's economic and demographic landscape. As chair of Maine's Consensus Economic Forecasting Commission (CEFC) — the independent body tasked with advising the Governor and

Legislature on revenue projections — Rector didn't shy away from the challenges ahead. Quoting from the CEFC's April report, she noted, "There is considerable uncertainty at this time around economic policy, government spending, geopolitical tensions, and consumer sentiment."

Still, there were reasons for optimism. Maine, while still the oldest state by both median age and percentage of its population, has been experiencing steady growth. Over the past four years, the state's population increased by 3.1%, ranking 17th in the nation. Rector also pointed out that Maine's unemployment rate, at just 2.5%, remains lower than both the U.S. and New England averages.

Rector flagged two key headwinds to continued growth: a shortage of affordable housing and a limited labor force. Both are limiting the state's ability to attract new residents and expand employment opportunities. Despite these challenges, the overall tone suggested cautious optimism as Maine navigates a complex economic landscape.

#### MTA: Safety and stewardship

Peter Merfeld, Chief Operating Officer of the Maine Turnpike Authority (MTA), brought attention to the urgent and often overlooked issue of highway work zone safety. With distracted driving on the rise, Merfeld shared a sobering example: a driver, allegedly reaching for a water bottle, crashed into an impact attenuator on the toll road without ever hitting the brakes. "Workers face serious dangers every day on Maine's highways," he said. "The increase in distracted driving is a growing concern for MTA employees and contractors working on Maine's roads."

On the project front, Merfeld outlined MTA's continued emphasis on preserving and maintaining existing infrastructure. Top priorities include bridge and culvert repairs and paving projects. He also previewed a major undertaking slated for next year: widening the Maine Turnpike north of Exit 48. With the first two phases of the Portland-area widening project already complete, Phase 3 is on the horizon, and Merfeld emphasized that public engagement will be central to its success.

He also gave a nod to the MTA's new executive director, Andre Briere - who was unable to attend due to a family celebration — but has already begun cultivating key partnerships, including with the MBTA.

#### MAINEDOT: Eye on funding and future

Closing out the speaker series, MaineDOT Commissioner Bruce Van Note delivered a wide-ranging update on transportation funding, inflation pressures, and long-term planning. He highlighted that Maine's current three-year Work Plan now totals \$4.8 billion — averaging \$1.6 billion annually, a notable increase from the \$2.4 billion plan early in his tenure. But with rising construction costs, that growth comes with caveats. "Cost indexes are indicating that some materials and operations have seen price spikes of 70% or more — some have even doubled," Van Note explained. "So while the budget for transportation work has increased, three-quarters of it gets wrapped up in inflation. But the good news is that a quarter of it is more widgets. We're doing more work."

Van Note also revisited a perennial and vital topic: funding of the state's multimodal transportation infrastructure. While the federal Bipartisan Infrastructure Law (BIL) provided a welcome but temporary infusion of funds, he warned that uncertainty looms beyond the current biennium. He praised the Legislature's 2022 decision to diversify Maine's transportation revenue streams — adding an estimated \$78 million per year from sources

































PHOTOS: JENNIFER BECHARD PHOTOGRAPHY

like auto sales taxes and liquor revenues — but noted that significant funding challenges are expected in 2028 and 2029.

Still, he struck a hopeful note: "We're in a stronger place. We're able to do more from a higher plateau." He closed by thanking MaineDOT's exceptional workforce, along with MBTA members and transportation partners across the state, for their continued support of MaineDOT's vital mission.

#### MAKING CONNECTIONS. **MARKING TRANSITIONS**

In one of her final official acts as president, Michelle Ibarquen conducted the election of new MBTA officers, welcoming Erik Wiberg of R.W. Gillespie & Associates as president. Joining him on the executive committee are Jason Griffiths of Pike Industries as first vice president; Alan Gould of White Cap/A.H. Harris as second vice president; and Parker Brown of HNTB as secretary/treasurer.

President Michelle Ibarquen welcomed several notable attendees, including Representative Lydia Crafts of Newcastle, whom she praised for her leadership as House Chair of the Legislature's Transportation Committee. Under Crafts' guidance – along with that of her Senate co-chair and committee leads the committee continues to prioritize bipartisanship, collaboration, and support for all modes of transportation. Ibarquen also acknowledged Halsey Frank, in attendance on behalf of U.S. Senator Susan Collins.

She extended thanks to the event's major sponsors, recognizing Cross Insurance/ Cross Surety as the Aviation Sponsor and Anderson Equipment Company, HNTB Corporation, Milton CAT, VHB, and Wyman & Simpson as Interstate Sponsors. (A complete list of the Annual Meeting's generous sponsors appears on page 40.)

In a nod to MBTA's history, Ibarquen recognized past presidents in attendance, including Tim Folster, Greg Dore, Tom Martin, Paul Bradbury, Irv Smith, and Tony Grande. Looking ahead, she celebrated the future of the industry by introducing several past MBTA scholarship recipients - Nate Baert, Greg Dexter, Joe Frazier, Brandon LaPointe, and Casey VanDenBossche – now emerging leaders in Maine's transportation sector. She also welcomed several other transportation industry and community leaders who joined the event in support of the association's mission.

After taking a break for dinner, Ibarguen stepped up to the podium for one last time and thanked members, agency and legislative

#### **OPPOSITE**

Row 1 left: Andy Hackman, Paul Bradbury, Nina Fisher, Orion Breen

Row 1 middle: Alex Mayo, Mike Zarba, Dalton Sanborn

#### Row 1 right:

Be Schonewald, Judy & Erik Wiberg

Row 2 left: Bob Blunt, Tim Ouellette, Tate Chork, Parker Mulvihill

Row 2 right: Chris Snow, Sam Grande, Glenn Adams, Tony Grande, William Savage

Row 3 left: Cianbro - Will Traver, Marc Caldwell

Row 3 middle: Doug Morrison, James McCarthy, **Tim Folster** 

Row 3 right: Erik Wiberg, Matthew Grady, Temitope Omokinde

Row 4 left: Conrad Welzel. Jake Lachance, Paula & Greg Dore

Row 4 right: Erik Wiberg & Sargent crew

#### **THIS PAGE**

Top: Gordon Edington, Tim Bryant, Tim Merritt

Second: HNTB - Tim Cote. Matthew Hearn, Roland Lavallee, Robert Driscoll, Be Schonewald

Third: Kent Leonard, Erik & Judy Wiberg, Fred Reichel

Bottom: Kim Suhr, Darryl Coombs











partners, and the many organizations that help move Maine transportation forward through their varied work. She particularly thanked her employer, Cross Insurance, as well as the MBTA Board of Directors and the "stellar" executive committee, including Wiberg, Jason Griffiths, Alan Gould, and Eric Ritchie.

#### **LEADERSHIP TRANSITION**

Outgoing President Ibarguen then introduced MBTA's new president, Erik Wiberg of R.W. Gillespie & Associates. Upon taking the gavel, Wiberg offered heartfelt thanks for Ibarguen's tremendous leadership over the past year—one marked by significant initiatives and transition planning.

"Michelle, your knowledge of association work, organizational skills, leadership, and unflappability have served the Association well during a hectic year," Wiberg said. "You did an amazing job juggling many balls,

keeping us all on track, and making a big difference." He also noted her competitive spirit and energy, always showing up—whether it was on the golf course, at the cornhole boards, on construction tours, or line dancing at the fall outing.

Wiberg highlighted three major board committees that were formed under Ibarguen's leadership, each reflecting her focus on strengthening the association's internal operations. The first was a Bylaws Committee, chaired by Patrick Brady, tasked with modernizing and updating MBTA's governing documents. The second was the Personnel Policies and Procedures Committee, which met extensively to create a comprehensive new manual—a significant effort led by past president Tony Grande of VHB. The third was the Executive Director Search Committee, established in preparation for the upcoming retirement of long-time Executive Director Maria Fuentes at











PHOTOS: JENNIFER BECHARD PHOTOGRAPHY

the end of August. Chaired by Eric Ritchie of Sargent, the committee began its work in July 2024 and included MBTA's executive officers, along with past presidents Debbie Dunlap Avasthi and Paul Bradbury.

To mark the leadership transition and express gratitude for her exceptional service, Wiberg presented Ibarguen with a gift from the Board, along with generous travel vouchers donated by Concord Coach Lines and NNEPRA.

#### TRANSPORTER IN CHIEF

Incoming President Erik Wiberg, a grandson of industry legend Herb E. Sargent, gave his first remarks as MBTA President. His remarks included personal reflections, organizational goals, and an assessment of the road ahead.

"The sky's the limit," Wiberg said, invoking a favorite phrase from his grandfather. "And I would use those words to describe the possibilities of the MBTA." In outlining his goals for the year, President Wiberg listed advocacy, urging vigilance as lawmakers complete their work for the session during a difficult budget time frame, and encouraged them to keep the sales tax and liquor funding in the HF. "Sweeping those funds would jeopardize capital projects across all modes











#### **OPPOSITE**

Row 1: Outgoing president Michelle Ibarguen

Row 2 left: Peggy Duval, Joshua Saucier, Keith Wood, JoAnn Fryer

Row 2 right: Ralph Norwood, Jim Anderson, John Cannell, Stephen **Tartre** 

Row 3 left: John Cronan, David Swirk

Row 3 middle: Kyle Jacques, Chloe Loukes, Sarah Williams

Row 3 right: Paul Bradbury

#### THIS PAGE

Top: President Erik Wiberg

Row 2 left: NNEPRA - Patricia Quinn, Natalie Bogart, Catherine Kruglak

Row 2 right: McFarland Johnson -Theresa McAuliffe, Erik Atkins, Rich Rooney

Row 3 left: Temitope Omokinde, Jon Pinkham, Parker Harriman, Kyle Jacques

Row 3 right: Tim Cote, Peter Merfeld, Bruce Van Note









Row 1 left: Sargent -Tim Lepage, James McCarthy, Joe Frazier, Matt Thibault, Brent Williams

Row 1 right: Elizabeth Roberts, Kathy Kern

Row 2 left: VHB - Jon Pinkham, Heather Hayes, Gordon Edington, Tim Bryant, **Tony Grande** 

Row 2 right: Richard Tetreault, David Bernhardt

Row 3 left: Rep. Lydia Crafts

Row 3 right: Incoming President Erik Wiberg

Opposite: 50-50 winner Nate Baert





PHOTOS: JENNIFER BECHARD PHOTOGRAPHY

of transportation," he warned.

The newly elected president also emphasized the importance of collaboration, noting the value of MBTA committees as platforms for professional growth and mentorship, and encouraged members to bring emerging leaders into the fold.

Education, he reminded attendees, is an ongoing need. He praised members for the incredible community service they all do, including those related to the transportation industry, such as NNEPRA and the Portland International Jetport, which sponsored transportation exhibits at the Children's Museum and Theater of Maine, and partner organizations that host or are involved in Engineers Week, and other initiatives. "Let us help you highlight the outreach you're doing — it inspires others," he noted.

For Wiberg, safety is always top of mind, and he concluded his comments with a call to action to protect workers in construction zones. "Twelve seconds is all it takes to slow down from 65 to 45 in a half-mile work zone," he said. "We all have that time." He called for all of us to be a "pacesetter for other users by following and maintaining work zone speeds when we are on the road... Let's all commit to keeping our work zones safe; not only is it the right thing to do, but it could save a life."



#### 50-50: FULL CIRCLE

The evening ended with the traditional 50-50 raffle, with proceeds benefiting the MBTA Educational Foundation. Nate Baert, a past scholarship recipient. won the raffle, and he donated his \$605 winnings back to the scholarship program, citing the generosity of the MBTA in providing him and others with scholarships over the years.

President Wiberg closed the meeting by thanking everyone in attendance, as well as sponsors,

volunteers, and staff, who make the Association the thriving community that it is, reminding everyone that "The Sky's the limit!" ?



With authority in 48 States and Canada, our logistics company specializes in flat and step deck services. From coast to coast, we've got you covered.



Call us today! 207.582.5019

FOR MORE INFO, CHECK OUT: www.ejprescott.com/services/pep-transportation



## **BECOME A** MEMBER TODAY

Visit mbtaonline.org/join-thembta/or scan the QR Code.

Call 207-622-0526 for a membership information packet.





## Thanks to our MBTA Annual Meeting Sponsors

**AVIATION SPONSOR** 





#### **INTERSTATE SPONSORS**













#### **RAILWAY SPONSORS**















#### MARITIME SPONSORS



























#### **TRANSIT SPONSORS**









#### **ARTERIAL SPONSORS**



@WORK



FUSS&





#### **TRAIL SPONSORS**

















**GREEN** 







**JOHNSON** 











Frankenmuth











Engineering a Better Environment











# Call Peter A. Lyford

Peter A. Lyford, Inc. is family-owned, and we specialize in erosion control, hydroseeding, and commercial landscaping for the entire state of Maine.



53 Dave's Way, Hermon (207) 848-3335 54 Olde Canal Way, Gorham (207) 839-8668 info@peterlyfordinc.com | peterlyfordinc.com

Hydroseeding - TerraSeeding - Bark Mulching - Filter Sock - Hay Mulching - Commercial Landscaping -Wetland Restoration

#### PLASTIC PIPE FABRICATION

A Division of Everett J. Prescott, Inc.



Team PPF is your source for fabricated and specialty products and services. Thriving on solving new challenges and satisfying customers, Team PPF's dedicated specialists stand ready to assist you with custom HDPE fabrications, slip lining, camera inspections, and beyond.







Contact us today!



TeamPPF.com

207-582-4795



When you've been building roads for as long as we have, you learn a lot on the job. That's why you can count on Pike Industries to live up to any challenge and deliver your job on time, within budget, and exceed your expectations.

AGGREGATES
 HOT MIX ASPHALT
 PAVING & CONSTRUCTION

Maine regional office: 95 Western Ave, Fairfield, ME 04937 207-453-9381 | www.pikeindustries.com









# **Quarrying it** up in Hallowell

**Sponsors:** 





HE MBTA Young Professionals ventured out to a new spot in June - The Quarry Tap Room in Hallowell - for their third Transportation on Tap (T2) of the year. More than 25 members and friends attended the traveling networking series, enjoying a brew, apps, and some great conversation.

The venue's name is a nod to Hallowell's granite-cutting past, and the artisans or "the movers, shakers, and hard rock breakers" that mined, sculpted, and shipped from the wharves in Hallowell to places around the world. The heyday of the quarries spanned from the mid-19th century to the mid-20th century, when Hallowell granite was produced and used in the Maine State House, Quincy Market in Boston, and other prominent structures. The robust times brought skilled immigrant stonecutters, many from











Italy, who thrived until the rise of concrete, when quarrying declined.

MBTA Board Member Patrick Brady, who also chairs the Young Professionals group, encourages anyone in the transportation community in Maine to attend the T2 networking events. "There's no agenda, and the atmosphere is always welcoming and relaxed," said Brady.

The next T2 will be on October 9 in Portland. And remember what Chairman Brady says — "T2 is open to all, including anyone young in age, young to the industry, or young at heart!" 💡

For more information on future events: mbtaonline.org/event-list/









500 Southborough Drive Suite 105B South Portland, ME 04106 207 889 3150



VHB's roadway, structural, traffic, environmental, and land development professionals deliver solutions that help Maine thrive.







## Maine's Off-Site HR Department

Servicing the Blue-Collar Industry Statewide. Certified Flaggers Statewide. Portable Traffic Controls, Message Boards and more for Rent. DBF

> Call any of our 4 locations for more information & quote.

#### Maine Offices

HAMPDEN: 3 Future Way, ME 04444 Phone 207-989-1990

SKOWHEGAN: 91 Madison Avenue, ME 04976 Phone 207-474-5900

TURNER: 287 A Auburn Road, ME 04282

Phone 207-225-5627

SANFORD: 15 Daigle Lane, Ste. 104, ME 04073

Phone 207-206-7290



CONSTRUCTION RISK MANAGEMENT & INSURANCE SERVICES

USI advises construction clients how to manage business risks related to:

Workers' Compensation | Property General Liability | Umbrella/Excess Liability Automobile Liability | Contractor's Equipment Marine | Professional Services Environmental Risks | Cyber Risks Claims & Risk Control | Contract Review

To learn more about how USI can help manage your business risk contact:

CHRISTOPHER M. ABBOUD | CRM, CPCU, CIC, WCP, CRIS Partner | Practice Leader | Property & Casualty USI Insurance Services | South Portland, ME chris.abboud@usi.com | 207.239.3306

> Property & Casualty | Employee Benefits Personal Risk | Retirement Consulting



# **AGC Maine's** Finest: **Top 5 Projects** of 2025

Reed & Reed and N.S. Giles among project honorees

HE ASSOCIATED General Contractors of Maine (AGC Maine) recently honored five contractors and their employees with the 2025 Build Maine Awards for major projects. More than 150 Maine contractors and their guests gathered at the Cross Insurance Center in Bangor for the awards ceremony in April.

According to AGC Maine, winners are chosen with the criteria including safety, innovation, and construction techniques/ materials, contribution to the community, meeting the challenge of a difficult job, environmental sensitivity, and responsiveness to client needs and customer satisfaction. Two of the winners and their projects are MBTA members: Reed & Reed, Inc., and N.S. Giles. Congratulations to all the winners of the Build Maine Awards



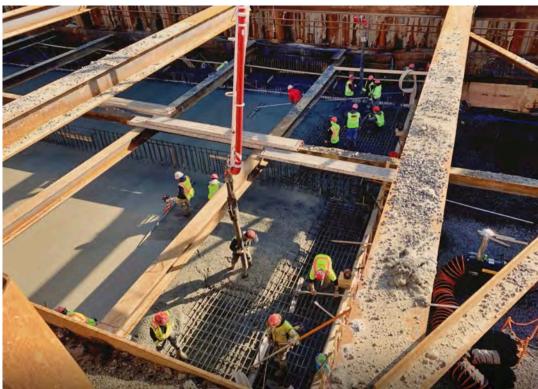
#### SPECIALTY/SUBCON-TRACTOR DIVISION:

**Back Cove South Facility, N.S. Giles** 

Subcontractor N.S. Giles was recognized with the Specialty/Subcontractor Division award for their integral role in the Back Cove South Storage Facility in Portland, one of the largest infrastructure projects in the city's recent history. The facility was designed to reduce combined sewer overflows into Portland's Back Cove and Casco Bay by capturing stormwater runoff for later treatment, greatly improving the city's wastewater management and environmental sustainability.

N.S. Giles led the concrete and rebar work for the facility — an effort that set records for the company. Their team placed over 1,200 tons of reinforcing steel and poured more than 18,000 cubic yards of concrete, making





it the largest concrete and rebar contract in company history.

What set N.S. Giles apart was not just the scale of their contribution but the precision and commitment to safety with which the work was completed. Over the course of the project, the team logged more than 60,000 man-hours without a single recordable injury, demonstrating exceptional attention to job site safety, coordination, and training.



# **BUSINESS AND PROFESSIONAL SERVICES**

Reliable, Safe, Secure. We've been installing fences for Maine's homes and businesses since 1948.

(207) 829-5549 MainLineFence.com



Sales, Service **Construction Tools** and Equipment

www.kennebecrental.com



#### **DAYTON SAND & GRAVEL INC.**

928 Goodwin Mills Rd., Dayton, ME Tel: 207-499-2306 - In ME: 1-800-339-2700 Fax: 207-499-7102



#### Jeffrey A. Simpson Inc. **Demolition & Wood Recycling**

Disposal Facility • Container Service On Site Grinding And Removal Bark Mulch and Erosion Mulch Products

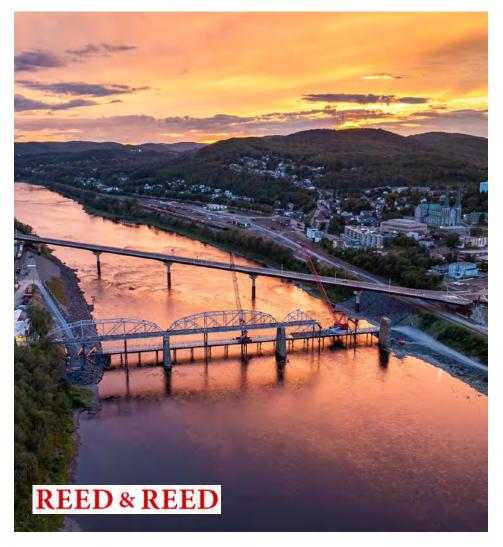
281 JAGGER MILL ROAD SANFORD, ME 04073

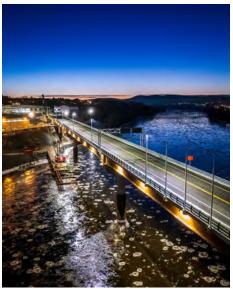
(207) 324-5412 FAX 324-8179



Hydroseeding Vegetation control Frosion control Redi Rock wall installation Tree and shrub installation

Hermon 207-848-3335 • Gorham 207-839-4411







#### **BRIDGE DIVISION**

#### Madawaska International Bridge, Reed & Reed, Inc.

Reed & Reed, Inc. earned top honors in the Bridge Division for the successful completion of the Madawaska International Bridge, a transformative infrastructure project connecting Madawaska, Maine, to Edmundston, New Brunswick. This high-profile, cross-border initiative replaced a century-old structure that had deteriorated beyond its capacity to safely support modern commercial traffic.

The new bridge now serves as a critical link for regional commerce, enhancing the flow of goods, services, and people between the U.S. and Canada. By improving freight access and mobility, the project has directly supported key sectors of the Maine economy, including agriculture, manufacturing, and tourism.

Reed & Reed led a complex, multi-phase construction process involving a wide range of subcontractors and local suppliers. Innovations in design and execution were central to the project's success, including the use of an optimized trestle system and advanced steel erection techniques that allowed construction to proceed safely and efficiently despite challenging site conditions and strict international coordination requirements.

Three other firms were also honored.



#### **OVERALL PROJECT** OF THE YEAR

#### **Wright-Ryan Construction**

Wright-Ryan Construction took home the top honor for the Tekakapimək Contact Station at Katahdin Woods and Waters National Monument. The project showcases sustainable mass timber construction and cultural storytelling, highlighting Wabanaki heritage. With an estimated \$28 million in local economic impact, the project was developed in partnership with the Elliotsville Foundation and is designed for future stewardship by the National Park Service.



#### **BUILDING RENOVATION DIVISION**

#### Consigli Construction Co.

Consigli Construction Co. received the award for the Thompson Block project, a meticulous restoration of one of Maine's most prominent Victorian commercial buildings. The project maintained historic integrity while introducing modern amenities and improved functionality, securing its place on the National Historic Register.



#### **BUILDING RENOVATION DIVISIONS**

#### **Turner Construction Company**

Turner Construction Company was honored for the Malone Family Tower at Maine Medical Center. The project features a seven-story atrium, green roofs, and urban plazas with native flora. Turner prioritized safety and community impact, including employing Maine residents and offering a full-time wellness clinic on-site for workers. 9



#### YOUR LOCAL CONTECH TEAM:

Steve Wolf, P.E. Culverts, Relining, Stormwater Steel & Aluminum Structural Plate 802-233-9110

Glenn Robie Precast, Plate & Truss Bridges 207-232-3228

Justin Reardon, P.E. Vehicular & Pedestrian Truss Bridges 207-885-6125

Joshua Stackhouse **Stormwater Treatment & Detention** 207-219-9110

www.ContechES.com

#### Serving Maine clients and communities for more than 25 years.









- ■Geospatial Services
- ■Geotechnical Engineering
- Environmental Consulting
- ■Communication & Public Involvement
- Traffic Planning & Studies
- Bridge & Highway Design
- Architectural & MEP Design
- Program & Construction Management

Eliot: 207-438-8616 | Portland: 207-775-5401

Learn more at www.wsp.com





Kleinfelder is a full-service architecture, engineering, and science consulting company providing solutions to meet our world's complex infrastructure and natural resource challenges.

#### Expertise in:

- Civil, structural, bridge, highway, and geotechnical engineering
- Climate resiliency
- Construction management, inspection, and documentation
- Local Project Administration Program project delivery
- ADA compliance
- Cultural resources management and environmental permitting
- NBIS and underwater inspection
- Geotechnical engineering, environmental, and resiliency planning
- Davis-Bacon compliance
- Public outreach

Augusta, ME: 207.623.0648 Portland, ME: 207.623.0648 Manchester, NH: 603.623.4400



www.kleinfelder.com



# **Problematic Contract Clauses**

Minimizing risk

JOHN CRONAN, Partner, Preti Flaherty

N TODAY'S volatile economic climate, risk management is critical. Problematic contract clauses can impact a company's financial and operational risks. Tariff-related unpredictability, in particular, has underscored the importance of price escalation clauses, delivery timelines, and supply chain obligations. Many contracts are inadequate to handle sudden changes in cost structures or supplier viability.

The transportation and infrastructure construction industry, in particular, presents high risks due to complex project scopes, limited margins and tight deadlines. The following is an overview of some of the most critical clauses that often go unnoticed or misunderstood by contractors, common traps, and practical steps to reduce associated risks.

**Indemnity clauses**. Typically require the contractor to pay another party for certain loss or damages. Some may require a contractor to compensate another, even when the contractor is not at fault. This can result in uncapped liability and claims beyond insurance coverage. Some indemnity clauses may also include an obligation for the contractor to defend the other party.

Risk mitigation: Negotiate for mutual or limited indemnities. Avoid "duty to defend" language. Attempt to cap indemnification to direct damages only, and limit obligations to what might be covered by insurance.

Liquidated damages. Usually set a predetermined amount a contractor must pay an owner for each day a project is delayed past a completion date. The purpose is to compensate an owner for losses due to delay, without requiring the owner to show proof of actual damages. However, excessive or uncapped penalties for delays can wreak havoc on a contractor's bottom line.

Risk mitigation: Look for opportunities to include exemptions for liquidated damages in instances of force majeure (which can relieve a party from contractual obligations due to circumstances beyond their control), excusable

delay (delay in performance due to circumstances beyond the control of the responsible party), or concurrent delay (where two or more parties are responsible for delay that impacts a schedule). Try to ensure liquidated damages generally reflect actual losses.

#### Pay-When-Paid or Pay-If-Paid clauses.

These shift the owner's payment risk onto the contractor or subcontractor.

Risk mitigation: Attempt to negotiate unconditional payment terms or include payment guarantees.

**Ambiguous scope of work.** Typically lacks clarity, detail, and/or consistency as to what is actually to be done. You may see terms such as "as needed" or reference to an "industry standard lack of defined responsibilities. Vague language can lead to disputes over deliverables, variations, and extras.

Risk mitigation: Ensure scope is clearly defined, with detailed specifications and exclusions. Use change order procedures for any modifications.

No damages for delay. States that an extension of time is the sole and exclusive remedy for any delay to the work or impact to the progress of work.

Risk mitigation: Request exceptions for owner-caused delays or gross negligence. Use contemporaneous documentation to support delay claims. Negotiate to provide for damages payable beyond a certain period of delay.

Price escalation. Allows for adjustments to the contract price in the event certain materials or labor costs increase beyond a certain level. However, if a contract does not contain a price escalation provision, the contractor generally bears all of the risk of rising costs. Most contracts do not automatically provide for price escalation. Public contracts may prohibit escalation clauses.

Risk mitigation: Attempt to negotiate contractual provisions allowing for an adjustment based on a specified index or a specific material. Contractors can also utilize a shared-risk approach where both the contractor and upper-tiered contractor or owner share in cost increases.

Notice. Provides that a claim must be submitted within "x" amount of days from the occurrence giving rise to such claim. Under such provisions, the failure to submit a claim strictly in accordance with these requirements results in the claim being waived.

Risk mitigation: Negotiate reasonable terms, know exactly how the notice obligations are satisfied and confirm whether and how other contract documents affect notice requirements.

Differing site conditions. Without this protection, the contractor absorbs the risk of unknown subsurface or site conditions, despite relying on owner-provided geotechnical reports. Heavy civil projects often encounter unpredictable soils, rock formations, utilities, or water tables. Without a clear Differing Site Conditions clause, these issues can become non-compensable delays.

Risk Mitigation: Pay close attention to whether a Differing Site Conditions clause excludes "information provided by the owner" or "conditions that could have been discovered during a reasonable site visit."

Flow-Down clauses. Passes down the general contractor's obligations and risk to a subcontractor. Unless the prime contract is reviewed by the subcontractor, a subcontractor can unknowingly assume burdens such as liquidated damages, scheduling obligations, or scope ambiguities.

Risk mitigation: Request a copy of the prime contractor's schedule of obligations.

#### **KEY TAKEAWAYS**

By identifying and addressing problematic clauses upfront, contractors can reduce exposure to financial shocks. Risk mitigation is a critical business imperative given economic uncertainty and tariff-drive volatility. Before you bid, you should review these key provisions closely and negotiate protections into your contracts. 9

As a member of Preti Flaherty's Construction Law Group, John Cronan has dedicated his practice to advocating for construction clients across all industry sectors, offering comprehensive, collaborative support throughout a project's stages. He can be reached at JCronan@preti.com.



# Reliable asphalt supply, close to home

As the largest supplier of asphalt in New England, you can count on us for the products you need, the quality you expect and the people you trust.



To learn more, call us at 1.866.865.8800 or email IOCCustomerSupport@irvingoil.com

# <u>IaBrecque Const. Inc.</u>

**General Contractor** 

#### **Sidewalks**

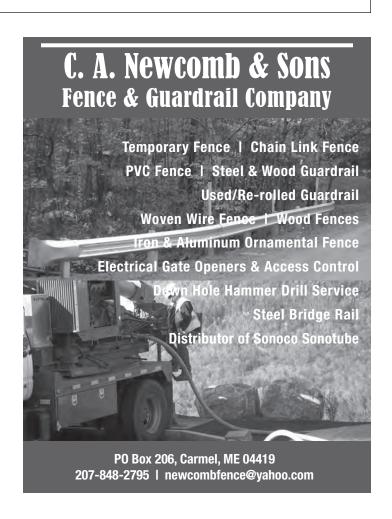
- Brick
- Concrete
- Bituminous

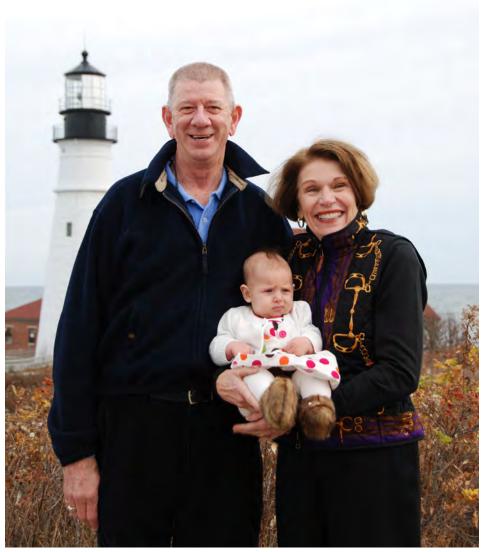
#### Curb

- Granite
- Concrete











#### Top: Ken and Claire Recker, with granddaughter Above: Ken Recker

# **In Memoriam:** Ken Recker

### (reprinted with permission from the Recker family)

T IS with deep sadness that we announce the passing of Kenneth L. Recker, 82, of Falmouth, who passed away peacefully on March 6, 2025.

Ken was born in Covington, Ky., to Ed and Viola. He pursued his interest in engineering, earning a Bachelor of Science from Thomas More College and a degree in Civil Engineering from the University of Detroit. He continued his studies at the Massachusetts Institute of Technology (MIT), where he earned a master's degree in Geotechnical Engineering.

While at MIT, Ken met his wife of 52 years, Claire, who worked in the Department of Civil Engineering. They married in 1973 at the MIT Chapel, the same year Ken graduated. Ken's career began at Haley & Aldrich in Cambridge, Mass. One of his most memorable assignments took him and his family to Cairo, Egypt, for six months - a treasured experience. In 1986, work brought him and his family to Maine, where he made his home for the rest of his life. He later joined Sebago Technics as a civil engineer, contributing to projects throughout Maine and beyond.

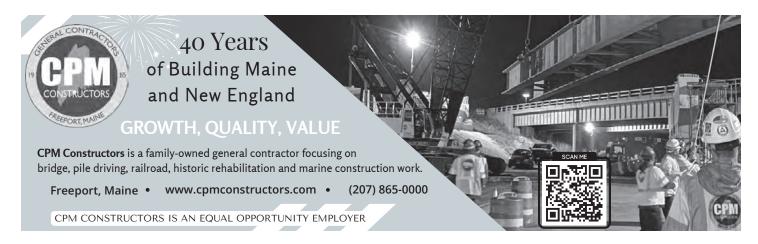
Ken was a devoted father to his two sons. Matthew and Mark. He embraced fatherhood wholeheartedly, coaching Little League, building sets for their theater productions, and supporting their many activities. As a grandfather, he was equally dedicated. For years, he traveled weekly from Maine to Connecticut to help care for his grandchildren while his daughter-in-law pursued a graduate degree. He was overjoyed when they later moved closer to home and cherished the opportunity to volunteer at their elementary school, allowing him to see them regularly.

Ken's passion for service extended beyond his family. He served for many years on the Falmouth Planning Board and was honored as Falmouth's Citizen of the Year in 1996. He also volunteered with MathCounts through the Maine Civil Engineer Society and was deeply committed to social causes, from advocating for LGBTQ+ rights in Maine to supporting Partners for World Health later in life.

Ken was preceded in death by his parents and his brother, David. He leaves behind his wife, Claire; his son, Matthew, and daughterin-law Mara; his son, Mark, and son-in-law Matthew; his grandchildren, Daneil and Donovan; and his sisters Alma and Roberta.

Ken was a good man. He loved to help others and to be useful to those he loved, and he lived for his family. His sweetness, generosity, humor, and kindness will be deeply missed. In lieu of flowers, please send donations to the Good Shepherd Food Bank or MaineTransNet. 9

Editor's note: Ken Recker was a long-time member of the MBTA and participated in events and programs and was always willing to lend a hand and share his expertise. He made it a point to help staff whenever he saw the need. Ken will be sorely missed, and we send our condolences to Claire and his entire family.





A Maine family owned and operated business with six state-ofthe-art concrete plants, the largest and most experienced sales and quality control staff in the state, a team of local dispatchers and a fleet of 43 concrete mixers to service central, southern and coastal regions.

Plants in Auburn, Westbrook, West Bath, Augusta, Topsham

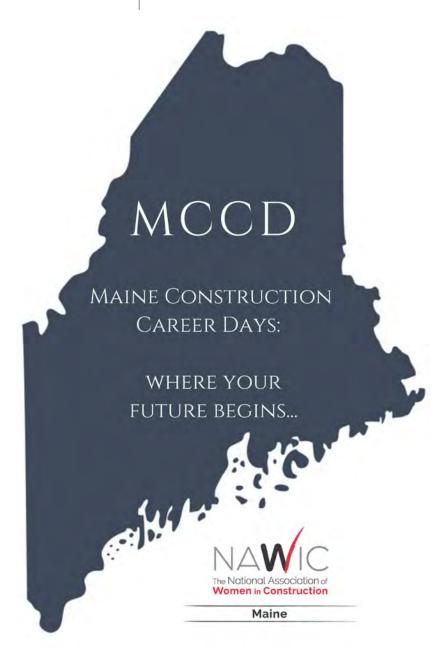
Main office: Goldthwaite Road . P.O. Box 1747, Auburn, ME 04211-1747

Phone: (207) 777-7100 Fax: (207) 777-7171

www.auburnconcrete.com - info@auburnconcrete.com



Freeport, ME (207) 869-5419 www.mjinc.com



# Maine Construction Career Days to return this fall

AWIC MAINE Chapter 276 will be hosting the 4th Annual Maine Construction Career Days (MCCD) on October 9, 2025, in West Bath, and it is shaping up to be the most exciting yet, according to Robin Wood, past president of NAWIC, and a founder of the event. The flagship workforce event brings together students, educators, and industry leaders for a hands-on introduction to the many career paths available in construction and the skilled trades.

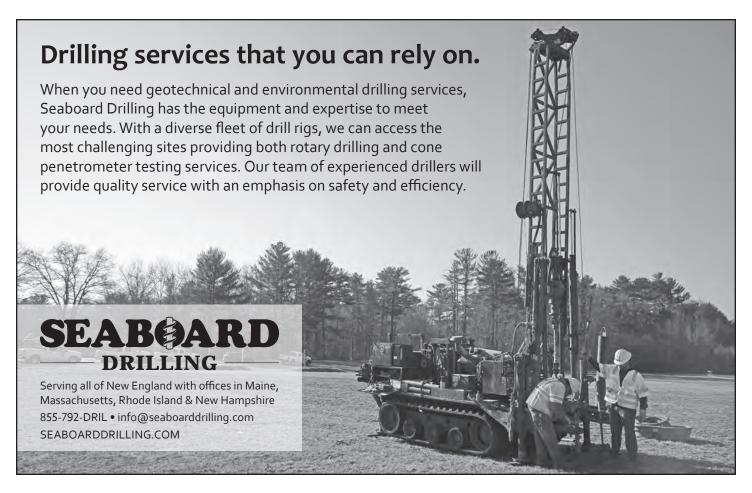
Last year's event drew more than 850 students from 32 schools across the state. This year, organizers are aiming even higher, with the goal of hosting over 80 exhibitors representing fields from heavy equipment operation to engineering, welding, tree care, and beyond.

MCCD, held at MidCoast Excavation, provides students with the opportunity to try their hand at real-world tasks through live demonstrations and interactive exhibits. It is also a unique platform for companies to engage with future talent, promote their trade, and build awareness about workforce opportunities in Maine.

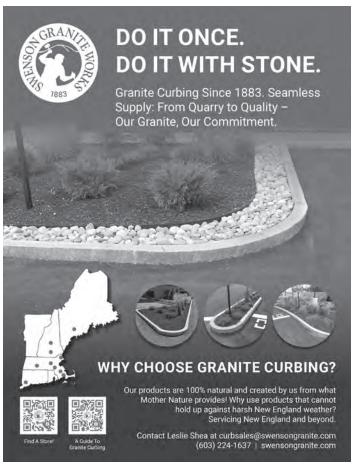
For 2025, exhibitors can take advantage of an early-bird discount by registering before June 1 and can choose from a range of booth sizes based on their sponsorship level. Exhibitor zones will be spread across two lots, with equipment demos in the upper lot and skill-focused booths in the lower lot and garage.

MCCD runs from 7:30 AM to 2:00 PM and offers a highenergy, high-impact way to help shape Maine's construction workforce of tomorrow. To reserve your spot or learn more, visit https://nawicmaine.org/Maine\_Construction\_ Career\_Days. ♥











# **Down Memory Lane** with Don Raye

A legacy of friendships and leadership at MBTA

OR DECADES, Donald Raye has been a cornerstone of the Maine Better Transportation Association, joining in the 1970s and even serving as President forty years ago. MBTA is so grateful for his service and for recently sharing his perspective on MBTA's evolution and accomplishments.

Raye's insights reflect a unique blend of experience in both finance and construction. In the 1970s, Raye was a Certified Public Accountant (CPA) in Brunswick when the late. great Elbert Prince (MBTA President 1975-76) nominated Raye to the MBTA's board of directors as the organization was facing financial challenges. Of course, back then, MBTA was known as the Maine Good Roads Association. and Raye credits Kenneth Burrill and David Skillings (Presidents 1982-84) for leading the name change in 1983 that reflected MBTA's expanded focus.

"I remember as I was coming on to be President, being a bit nervous about it," recalled Raye, who was impressed with his predecessor Richard (Dick) Martin (President 1985-86). "I said to Dick's wife, 'Jeez, I only hope that I can be as calm, cool and collected as he is.' She says, 'Calm, cool and collected? He doesn't sleep for two days before he has a meeting? So that made me feel a little better."

One of Raye's proudest accomplishments was his work helping set up student scholarships for both AGC and the MBTA Educational Foundation, scholarships that memorialize some of the industry's greats, like Kenneth Burrill. The fund has grown from \$4,500 in 1990 to more than \$800,000 in 2024, thanks to the generosity of MBTA members. Last year, the Educational Foundation Board awarded \$41,000 in scholarships to 29 students (read more about the scholarship recipients in the December/January issue of Maine Trails magazine).

"I think the opportunities for young people in construction and transportation are fantastic," said Raye, who noted that the industry has come a long way in changing the way guidance counselors and people in academics see careers in transportation and construction. Raye says that is important, "Because if you talk to people in construction and you say, 'What's your biggest issue?' Without exception, they would say, 'Getting the people we need."

Raye cited funding for our transportation infrastructure as the other major challenge and is proud of how MBTA and its Executive Director, Maria Fuentes, have successfully

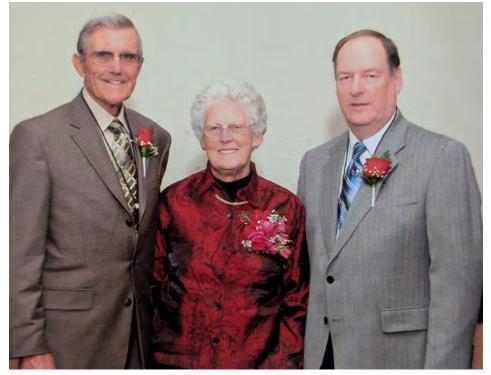


brought attention and support to not only bonds but also the importance of consistent and reliable funding. "I've got a Maine Trails here in front of me, and the front cover tells about how deficient we are in bridges and all things related to transportation; those are still very difficult issues that need to be solved," said Raye.

While appreciative of the dramatic technology changes he has seen in the transportation industry, Raye added that, "With electric cars, the gas tax is not applicable, so you've got to figure out a way to fund the highway."

Raye complimented Maria Fuentes' leadership, "She's just well-respected and I think she was a great spokesperson, who has been able to walk a fine line politically through changing times. It was obvious from the getgo that she was the right person for the job."

Looking back on his decades with MBTA, the organization is ultimately about relationships, emphasizing the joy of working hard and playing hard. Raye recalled many instances where members found themselves in situations or shared stories that he remembers to this day. One that stood out



**Opposite:** Don Raye

Top: Don Raye, bottom row, third from left, with fellow MBTA past presidents Above: Walt Parady, Hon. Christine Savage, Don Raye, all recipients of MBTA awards



Above: Don Raye, third from left, top row, with fellow MBTA past presidents

was when Bruce Hubbard fell out of his chair with laughter. A hypnotist hired as entertainment for an MBTA outing had Millard Pray (President 1998-99) dancing around the room like a ballet dancer and then doing the tango with another member. "It still makes me laugh just to think of it," said Raye. Both Don and Millard Pray worked diligently to complete all the required paperwork to establish the 501(c)(3) foundation that is now the MBTA Educational Foundation.

In 2007, Don Raye was honored with the Association's Lifetime Achievement Award. MBTA thanks Don for his dedication to the MBTA, and for the substantial legacy he has provided to the Association. 9

Maine Trails is doing articles on prominent members who have left an impact on the MBTA and who played an important role in the Association's history. To nominate a leader for this series, please contact MBTA.



## SINCE 1924, WE'VE BUILT BRIDGE, HIGHWAY, POWER AND MARINE PROJECTS - AND A REPUTATION FOR EXCELLENCE.





WYMAN & SIMPSON, INC. General Contractors 910 Main Street, P.O. Box 40 Richmond, Maine 04357 207-737-4471 - fax 207-737-8565 www.wymansimpsoninc.com

#### **Providing Maine Municipalities with:**

- Road and Intersection Design
- Site Planning and Development
- Traffic Impact Studies/Reviews
- Bridge Design
- Planning Board Peer Review
- Road Assessments/Inventory
- Right-of-Way Services
- Aviation Services
- Transportation/Land Use Planning

#### **Serving Maine since 1945**

#### **HNTB Corporation**

The HNTB Companies Engineers Architects Planners

82 Running Hill Road, Ste. 201 South Portland ME 04106 Tel: (207) 774 - 5155 Fax: (207) 228 - 0909 www.hntb.com

HNTB

## Providing quality concrete products to Roadbuilders since 1963



- Bridge beams & deck slabs
- Wharf slabs & concrete piling
- Concrete pipe & manholes
- Box culverts
- Retaining Walls

207-942-4878 Dysart's

shawnm@dysarts.com

Strescon is a member of the OSCO Construction Group









www.strescon.com • e-mail: sales@strescon.com • Precast Sales: 506-633-8877 • Pipe Sales: 207-368-5536

# GENERAL MANAGER Shawn Maguire 207-6596160 cell

SERVICE PRO

## Services Offered:

- Bulk and Package Lubricant Delivery
- **Bulk Oil and Grease Dispensing** Equipment
- **Equipment Loan Programs:** 
  - -GRACO Lubrication Equipment
  - -National Spencer Equipment
- **Lubrication Equipment Service** and Repairs **PURUS**



## **Sprague** announces leadership appointments



PRAGUE OPERATING Resources (Sprague) recently announced key leadership appointments.

Dave Glendon has transitioned from President and CEO to the role of Chairman. In his new capacity, Glendon will focus on maximizing the value of Sprague's asset base. The company also appointed two Co-Presidents.

Brian Weego has been named Co-President. "The success of our Natural Gas business is a testament to our team's innovation and dedication to our customers," commented Weego. "As Co-President, I'm incredibly excited to further broaden our reach and continue building on our robust

platform, bringing our sophisticated tools and market expertise to help even more businesses."

Karl Schmidt joined Sprague as Co-President. "I am thrilled to join the Sprague team at such a dynamic time," stated Schmidt. "I see immense potential in Sprague's strong infrastructure, and its amazing customer relationships. I look forward to collaborating with Brian and the entire Sprague team as we look ahead to the next 155 years for the company."

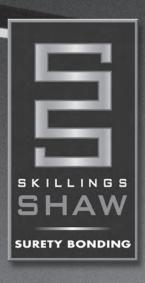
The leadership appointments are part of a multi-year strategic evolution aimed at accelerating Sprague's vision for the future. "By reorganizing the business around our commercial units, we are poised to accelerate growth across our company and expansion into new offerings" said Glendon. "I'm looking forward to supporting Brian and Karl's efforts to stimulate the next phase of our growth." 9

Founded in 1870 and headquartered in Portsmouth, NH, Sprague Operating Resources LLC has a rich, 155-year history of delivering innovative energy solutions and material handling services to the public and private sectors across the Mid-Atlantic, Northeast, and Quebec with a diverse portfolio of products and services. FMI: www.spragueenergy.com.

PHOTOS: SPRAGUE

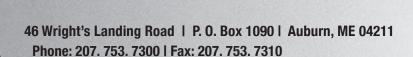


Top: Sprague's headquarters in Portsmouth, NH **Right:** Co-Presidents Brian Weego and Karl Schmidt



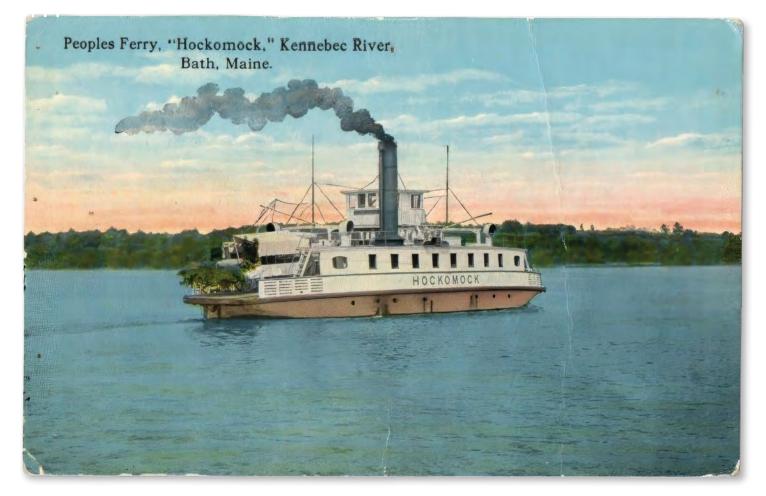
# Bonds...just Bonds!

Two locations and a dozen bonding specialists to help take your company where you would like it to go.



491 Main Street | Bangor ME 04401 Phone: 207. 404. 5360 | Fax: 207. 947. 7589

www.SSASurety.com



# The Ferry Years on the Kennebec

HE HOCKOMOCK, launched on February 19, 1901, at William McDonnell's Shipyard in Bath, was the first double-ended, propeller-driven ferry east of Boston. At 94 feet in length and 31 feet across the beam, she was engineered for efficiency, with propulsion machinery designed by Charles E. Hyde and installed at Bath Iron Works. The vessel proved costly to operate due to fuel expenses and poor management, according to the Maine Memory Network.

By 1907, the first automobiles began crossing the Kennebec on the ferry, carrying nearly 2,000 cars in 1910. The State of Maine began subsidizing operating costs in 1913, but it was

not until 1916, when 15,000 vehicles crossed, that receipts exceeded expenditures.

As traffic increased, the Hockomock was joined by a double-ended, paddle-wheeled ferry, built in New York, and renamed the "Governor King." In 1920, the two ferries transported 31,747 passengers, 51,200 cars, and 10,021 horse-drawn vehicles over Kennebec.

By 1926, the era of "Ferries across the Kennebec" was coming to an end, and a bridge had to be built to keep the traffic moving. With the opening of the Carlton Bridge in 1927, both ferries were retired, marking the end of a short-lived era in the history of the Kennebec River crossing. 9



**BANGOR, ME** 207-848-2050

**PRESQUE ISLE, ME** 207-498-3196

CONSTRUCTION

**SCARBOROUGH, ME** 207-885-0600

CONCORD, NH 603-225-6621 COLCHESTER. VT

**COLCHESTER, VT** 207-498-3196

WWW.BEAUREGARDEQUIP.COM





# **Decades in the Dirt**

For 40 years, Wacker Neuson has engineered, designed and built excavators around the needs of our customers. And because every construction site is different, we offer variety and versatility for the job at hand. From rugged and reliable tracked conventional tail machines to minimal tail swing, wheeled, and zero emission models, you'll find the right configuration, lifting capacity and breakout force to handle the toughest challenges. What's more, Wacker Neuson excavators are durable, powerful and easy to operate.

See how Wacker Neuson builds solutions for you. Contact your local dealer today!



45 Dempsey Greaves Lane Stillwater, Maine 04489 (207) 827-6193 www.centralequipmentco.com

