

Regulatory Roundup June 2024

### **US High Court to Weigh San Francisco Water Pollutant Limits Challenge**

Engineering News Record reports on a case recently taken up by the U.S. Supreme Court dealing with water pollution. In 2019 the EPA and the State of California allowed San Francisco Public Utilities Commission to release pollutants into the ocean in violation of an ordinance passed by the City and County of San Francisco.

<https://www.enr.com/articles/58748-us-high-court-to-weigh-san-francisco-water-pollutant-limits-challenge>

### **Positive Economic Outlook for Engineering Firms**

ACEC just released its new study of firm owners' outlook on the industry and the engineering economy. Overall, owners feel positive about their firms, the economy, and the industry. You can download the report here. <https://www.acec.org/news/last-word-blog/post/new-2nd-quarter-data-and-insights-from-the-acec-research-institute/>

### **ENR Releases New Construction Cost Index**

Engineering News Record also recently released a new review of the construction industry showing an increase of 1.5 percent in construction costs since June of last year, and a 2.8 percent increase in building costs during the same period.

<https://www.enr.com/articles/58750-construction-economics-for-june-3-2024>

### **Two Thirds of Firms in Highway Construction Zones Experience Crashes**

AGC released a new survey saying that 64 percent of contractors performing roadway work experienced motorist crashes in the past 12 months with 24 percent of respondents saying drivers or passengers were killed in the incident.

<https://www.agc.org/news/2024/05/23/nearly-two-thirds-firms-working-highway-upgrades-experienced-vehicles-crashing-work-zones-during>

### **PLI Rates Increases Along With Severity, Cost of Claims**

ACEC recently released a new survey of professional liability insurance agents showing that the severity and cost of claims are on the rise. Many of these claims against design firms stem from automobile accidents where motorists are killed or injured.

<https://www.acec.org/news/last-word-blog/post/adaptation-needed-as-pli-costs-rise/>

### **Admissions Preference Lawsuit Potentially Impacts Diversity and MBE Programs**

Last summer, the U.S. Supreme Court ruled that college entrance programs which favored minority students over other students were unconstitutional. While the ruling was directly

related to higher education, ENR discusses the ruling's potential implications for the design and construction industry and other cases which have been brought to court as a result of the ruling. <https://www.enr.com/articles/58681-attorneys-advise-new-approach-to-diversity-and-mbe-programs>

### **Baltimore Bridge Collapse Brings Focus on Bridge Safety, Security**

Federal investigations related to the March 26 Francis Scott Key Bridge collapse are bringing more focus into the measures necessary to protect infrastructure as ships and other vessels grow. <https://www.enr.com/articles/58654-federal-investigations-into-baltimore-bridge-collapse-consider-wider-threats-to-infrastructure>

### **EPA Survey Shows More Funding is Needed for Clean Water Infrastructure**

A recent survey of stormwater, wastewater and other clean water infrastructure shows over \$630 billion in investments and repairs will be needed over the next 20 years. This makes for a 73 percent increase over 2012. The newly released report can be found here. <https://www.epa.gov/cwns/clean-watersheds-needs-survey-cwns-2022-report-and-data>

### **Former Firm Partner Ordered into Arbitration over Non-Compete Clause by Court**

ENR reports on a former firm partner who attempted to nullify the firm's non-compete clause after the firm was acquired by WSP. This comes on the heels of a new sweeping federal ban on future non-compete clauses issued by the FTC in April.

<https://www.enr.com/articles/58646-wsp-resists-employee-release-from-noncompete-agreement-after-acquisition>

### **Combating Rising Seas, Sinking Cities**

Engineering Inc. takes a look at the latest efforts by engineers to combat land subsidence and climate change for a more sustainable future.

[Combating Rising Seas, Sinking Cities \(nxtbook.com\)](https://www.nxtbook.com)

### **ACEC Market Insights: What's Driving the Industry**

ACEC takes a look at recently released Census data about the construction industry. Small declines and a lower GDP were witnessed in April across the board.

[ACEC Market Insights: What's Driving the Industry - ACEC](https://www.acec.com)