



WITTWER CONSTRUCTION
STILLWATER, OKLAHOMA

Dan Wittwer, Pres./CEO

Ron Wittwer, Exec. VP

Ron Zerr Vice-President

Kirk Wiesner, CFO

Connie Griffin, Sec./
Treasurer

**INSIDE
THIS ISSUE:**

- Safety and Health 2
- Stretch and Flex 2
- Dangerous Jobs 2
- Training Schedule 2
- Project Photos 3
- ODOT Transportation Plan 4
- Bid Rigging in Kentucky 4

**Wittwer Participates
in Career Fair**

In September the AGC and OKC Public Schools partnered for a "Construction Career Day." Forty-Five AGC members participated. Students visiting the fair observed different demonstration, took part in some hands on activities and learned more about construction.

The Wittwer Way

FALL 2008

OCTOBER

Company News From Dan Wittwer

In the midst of the financial turmoil across the

globe, Wittwer construction is experiencing very positive trends and very good fortune. For the most part we have enjoyed good weather throughout '08 and have taken advantage of the opportunity, we have worked more six day weeks this year than every before but the extra effort has paid off. Our employee numbers are down 20% from a peak in '07, but with greater efficiency our revenue and profits are up 42%, as well as the highest volume we have ever had.

New Contracts

The August letting for ODOT yielded two prime contracts for Wittwer, a large box in Pontotoc and another in Okmulgee County. We will be returning to Seiling to help J&R Sand with another project on SH 3 that actually ties into the Dewey Co. job we just finished. We will also build boxes for Duit in Lawton and Yukon. OBC, a Division of Duit gave us a large box to build north of Guthrie. Sherwood of Oklahoma gave us a subcontract for the third project on the I-40 Crosstown. That makes 3 for 3 for Wittwer on the Crosstown. Good bidding and good building! In September Wittwer gathered up two more box culvert jobs, one in Coal Co., and another in Harmon. There is enough work under contract to have a great 4th quarter of '08 and good start in '09.

At the October ODOT letting, Wittwer teamed with Sherwood again on the Tulsa I-44 project. Wittwer's part will be to build the largest box culvert I have ever heard about. It will contain 35,000 cy of concrete and 5.6 million pounds of rebar—AWESOME!. It is such a privilege to be involved in the project. Also, Wittwer primed another ODOT project in Harper county in far northwestern Oklahoma. We will build a 3-10x10 box bridge. Wittwer also picked up a 3-14x14 box bridge in Lawton for the Army Corp of Engineers, that we will build this fall.



**Proposed Indoor
Training Facility, OSU**

Wittwer construction has enough work under contract to have a great 4th quarter and be busy most of '09. Wittwer has never had so much work under contract. We have truly been blessed.

GOOD JOB! The office received a letter from OSU thanking the company for the quick, efficient and high quality work on the Sixth and Monroe Intersection Project

Bonus Opportunities

So far this year Wittwer has contributed to early completion on two ODOT projects. I-235 and 36th with Duit received \$64,000 in incentive bonus.

October 11th, ODOT stopped the clock on the Dewey Co. job with J&R Sand. The project was awarded \$820,000 in bonuses, \$220,000 was Wittwer's share. Upcoming projects in Coal and Pontotoc require us to completely close state Highway 48 & 99. ODOT has offered \$75,000 and \$175,000 respectively for early completion. With decent weather I'm confident Wittwer will bank both bonuses in November.

Cowboy Athletics

On September 7th we turned our work on OSU Boone Pickens Stadium, Phase III over to Cowboy Athletics on time and under

budget. I have received countless compliments on our workmanship including " Thanks for the great job" from OSU athletic director Mike Holder. Although most Wittwer employees were involved in the OSU project at one time or another, the leadership of



Ryan Haney, Brad Griffin, Ron Dilley, Tim Riggs, Sam Jefferson and John Jackson, along with their crews, brought all three projects in on time. We can all take a lot of pride in being part of a project that will be enjoyed by so many for generations to come.

Wittwer's next contract with Cowboy Athletics involve moving 220,000 cubic yards of dirt and installing over a half mile of storm drain, preparing the north of Hall of Fame for both indoor and Outdoor practice fields. I'm anticipating a notice to proceed from OSU in the Spring of '09.

Sixth and Monroe Stillwater

On September 15th Wittwer opened up a hometown project that involved widening the

intersection of Monroe and 6th streets, in the heart of Stillwater. Because Monroe is a main access to OSU's campus, ODOT only allowed us limited days to complete the work. Even though ODOT added some patching on 6th to our contract, Wittwer crews delivered a quality job within the allotted time. With much appreciation, the city of Stillwater had a ribbon cutting ceremony on Thursday, Oct. 16th, two days before OSU's huge homecoming event. Way to go to all who were involved, especially Dustin Heidrich, Jim Lemon, Ryan Haney and their crew members. We can all be proud of the quality workmanship that was put into the project.

If Employees are ever unsure about the safety of a task they should not proceed until contacting Doug Martin

SAFETY AND HEALTH

CPR Class
9:00 AM
November 22

Each crew must have someone with a current certification

Supers Meeting
4:00 PM

November 2

Required to comply with OSHA and EEOC's requirement for on-going training of supervisors

8 Principles of a Safe Workplace

1. Safety is an ethical responsibility.
2. Safety is a culture not a program
3. Management is responsible
4. Employees must be trained to work safely
5. Safety is a condition of employment
6. All injuries are preventable
7. Safety programs must be site specific with recurring audits of the workplace and prompt corrective action
8. Safety is Good Business.

SKANSKA USA: Stretch and Flex Reduces Number and Severity of Injuries

On a mission to proactively reduce strains and sprains at project sites in 1996, Skanska USA Building's Oregon office, together with Bruce Madsen of Hi-Tech Sports Technology, pioneered a construction-specific, preventive exercise program called Flexible Solutions—more commonly known as “stretch & flex.”

The program was gradually introduced to Oregon projects and continues to gain momentum within the company. The pre-task exercise routine, which involves Skanska project employees as well as subcontractors, is now standard practice at many of the company's jobsites throughout the country.

If you are wondering why a construction firm would spend time and money on an exercise program in an industry where the work is already physically demanding, consider the fact that, according to the U.S. Bureau of Labor Statistics, strains and sprains account for more than 43 percent of non-fatal occupational injuries.

The goal of Skanska's Flexible Solutions program is to provide a viable method of addressing and reducing the risk and severity of back and musculoskeletal injuries that can occur while doing physical work.

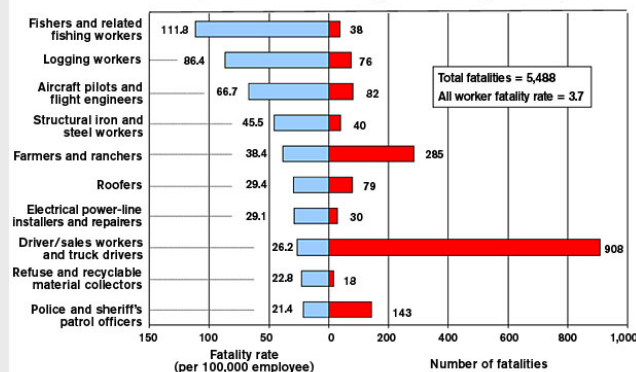
For 10 to 15 minutes at the start of the work day, Skanska's project superintendent leads participants in a set of 12 easy-to-perform exercises to prepare the body for action by increasing blood flow and warming up the muscles.

Because of the exercises, workers are less likely to experience an incident that results in a strain, sprain or more serious injury during the course of the day. Over time, the exercises have been shown to raise workers' energy levels and to improve flexibility, strength and range of motion—all of which enhances a person's capacity to do physical work without injury. Proponents of “stretch & flex” contend that taking time to stretch also helps employees prepare themselves *mentally* for the tasks they are about to perform—another important factor in reducing the potential for a work related Injury.



Skanska Employees Warming Up for Work

Selected occupations with high fatality rates, 2007



Almost 5,500 employees died on the job in 2007. Over 900 were truck drivers, and over 1200 were construction workers (all construction categories combined). The most dangerous jobs, jobs with the greatest percentage of employees killed were commercial fishing, logging, and aviation. These kinds of numbers is why we have OSHA, why we have safety regulations, and why its important to remember that if you're not careful it could happen to you.



Project Gallery

Oklahoma City Fairgrounds



Inola Oklahoma



White Oak/Vinita Oklahoma



Clinton Oklahoma



Boone Pickens Stadium
Hall of Fame—Stillwater



I-235 Oklahoma City



OKLAHOMA CITY (AP) - The Oklahoma Transportation Commission approved a \$4 billion program Monday to improve roads, replace 449 deficient bridges and finish relocating downtown's busy, trouble-prone Crosstown Expressway.

This provides the final \$194 million needed to push the Crosstown, an elevated section of Interstate 40, south to an alignment along the Oklahoma River, opening up land for development between the shore and the city's core. The highway will also be expanded to 10 lanes. The project is to be finished in 2012.

Over the last several years, the Crosstown has undergone frequent repairs. Holes sometimes open in the road deck, dropping concrete to the ground below.

Will the expressway last until 2012?

"Absolutely," Transportation Director Gary Ridley said.

Inspection teams monitor the Crosstown almost daily. Any danger of it collapsing?

"I'm not going to say that it's impossible, but I am going to say it is highly unlikely," Ridley said. He said he travels on it to and from work. "If we felt there was anything wrong that would cause us concern, we would close it, and we wouldn't think twice about it."

Originally built in 1965, the expressway carries 120,000 vehicles a day, almost 50,000 more than the intended capacity of 72,000.

All 77 counties have projects in the construction plan, which covers the next eight years.

Oklahoma Approves \$4 Billion Transportation Plan

Oct. 6, 2008

Ridley said the plan was made possible because of legislation approved this year increasing the budget of the Oklahoma Department of Transportation by \$30 million each year until the extra funding hits \$370 million.

Lawmakers also approved \$300 million in bonds to keep ODOT's work on track.

Other highlights of the plan are:

- 95 miles of concrete and cable barriers on highway medians.

- 460 miles of improvements on inadequate two-lane roads.

- \$2.1 billion of major improvements to high-volume highways.

- Reconstruction of high-volume roads including projects on Interstate 44 from Riverside to Yale and U.S. 412 in Tulsa and along Interstate 35 in Norman.

Ridley called it a "conservative plan" that counts on federal funding of 60 percent on the projects and has a 6 percent built-in inflation factor. Federal funding has paid for 85 percent to 90 percent of Oklahoma highway projects over the last five years.

The plan includes \$16 million to "get the ball rolling" on a huge project to rehabilitate Interstate 244 over the Arkansas River in Tulsa, Ridley said.

It also includes two \$13 million projects to replace bridges on I-40 west of Oklahoma City and \$33 million for bridge replacement in Craig, Grant, Logan, Noble, Seminole and Wagoner Counties.

Defense Attorneys Seek More Conversations in Kentucky Bid Rigging Case

October 4th

Oct. 4--Defense lawyers for indicted road contractor Leonard Lawson filed a motion Friday asking federal prosecutors to turn over conversations secretly recorded by their star witness on his personal cell phone.

This is the second time since Lawson was indicted Sept. 3 that there have been questions about what recordings defense lawyers might seek.

Lawson, former Transportation Secretary Bill Nighbert and a former Lawson employee, Brian Billings, were indicted on charges that they tampered with the bidding process for \$130 million in state road contracts in 2006 and 2007, during former Gov. Ernie Fletcher's administration. All three have pleaded not guilty.

James Rummage, a former transportation employee, secretly recorded conversations he had with Lawson and Billings on behalf of prosecutors. Rummage has said he received \$20,000 in cash for providing Lawson with internal cabinet estimates on road projects. The indictment includes several pages of taped conversations between Rummage and Lawson. Rummage has not been charged, and his lawyer has said he has no deal with prosecutors.

Those taped conversations included in the indictment were previously turned over to defense attorneys.

But according to court documents, defense lawyers discovered during a Sept. 30 meeting with prosecutors and Rummage that the star witness had made 14 recordings on his personal cell phone. Defense attorneys asked for all 14 recordings. They received all but one of those, court documents say. The final recording was not subject to federal discovery rules, defense lawyers were told by prosecutors.

Also this week, federal prosecutors filed court documents saying that they no longer object to letting defense lawyers have part of a separate recording that included a conversation between prosecutors and investigators and Rummage. They had originally demanded it be returned.

Prosecutors now say they would settle for a protective order precluding further use or dissemination of the tape for any purpose. Defense attorneys had fought to keep the recording, saying it showed that prosecutors coached Rummage on what to say during meetings between himself and Lawson and Billings.

Prosecutors said there was nothing improper in their conversations with Rummage and noted that "deceit, deception, lying, cover stories and subterfuge are not only permissible law enforcement techniques, they are time-honored, desirable and indispensable." U.S. Magistrate Judge James B. Todd will hold a hearing next week concerning the audio recordings and whether the Nov. 12 trial will be delayed.