

October 2011

PROFESSIONAL ESTIMATOR Denver, Chapter 5

Winner of the 2011 National Newsletter of the Year Award!

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October Program

Beyond the Takeoff -Analyzing the Risks and Costs of Key Contract Provisions

Program information on page 6 - register on aspedenver.org

**PLEASE NOTE THE NEW LOCATION THIS YEAR!

CHAPTER MEETING NOTICE

Date: Tuesday, October 11, 2011

Time: Registration/Networking: 5:00 pm

Dinner: 6:00 pm Program: 7:00 pm

Place: Hotel VQ

12th Floor

1975 Mile High Stadium Circle

Denver, CO 80204

Cost: \$45.00 w/registration*

\$50.00 w/o registration* \$20.00 for students

*\$5 off if you register by October 5



MESSAGE FROM YOUR PRESIDENT Heather Boulanger

We had a great kick-off meeting last month. Kevin Kilgore from FMI was a perfect speaker to start off the season. His presentations have always been engaging and insightful, and once

again he didn't disappoint.

Last month, his program was "Critical Trends Driving the Future of the Construction Industry". The good news is: We seem to have reached the bottom of the recession cycle. The bad news is: It will be a slow climb back up.

Kevin outlined trends that drive our industry, pitfalls, and occasionally touched on the current political atmosphere. He pointed out that Colorado is in better economic shape than many of our neighbors, but it still could improve.

Thanks again Kevin - Although I couldn't include all of your forecasts in this article, I know I speak for the members when I say we appreciate your presentations, and keep up the good work.

Continued on Page 7...

FEATURE ARTICLE

Construction Ethics

by David Morgan, CPE

In construction, are there existing ethical standards to which all participants in the construction industry are subject? In other words, are there certain standards of ethical conduct which apply to the architect or engineer, and also apply similarly to the contractor, subcontractor or supplier?

Is it ethical for a general contractor to go back to a subcontractor and require him to lower his price proposal after the general contractor's bid is accepted by the owner? Would it be ethical for a general contractor to meet with all of the subcontractors that provided a bid to discuss the scope of work and prices received? Is it an ethical practice for a general contractor to front load or increase the claimed amount of work completed early in the project in order to receive a greater amount of money from the owner at the start of a contract?

To more closely examine this subject, a survey was conducted in the summer of 2007 by the Builder's Exchange of Central Ohio, which asked a series of questions pertaining to different ethical situations. The questions were presented to both young leaders and senior management and some samples of these, along with the results, are shown below. For each subject, the three questions asked were: First, is this ethical? Second, does this happen in the industry? Third, does this happen in my company?

The first of these questions, already mentioned above, concerns the scenario of the general contractor calling back the various subcontractors after the bid had been accepted by the owner, demanding that they reduce their pricing if they wanted to get the work. They responded as follows:

- Business Practice is Ethical?: Total 15.4%; Young Leaders 20%; Senior Management 10.5%
- Business Practice is Unethical?: Total 84.6%; Young Leaders 80%; Senior Management 89.5%
- Happens in the industry Yes?: Total 92.3%; Young Leaders 85%; Senior Management 100%
- Happens in the industry No?: Total 7.7%; Young Leaders 15%; Senior Management 0%
- Happens in my company Yes?: Total 38.5%; Young Leaders 40%; Senior Management 36.8%
- Happens my company No?: Total 61.5%; Young Leaders 60%; Senior Management 63.2%

The next question asked if it was ethical to review the scope and pricing contained in the bids received from each subcontractor. Everyone felt that this was indeed ethical and is commonly done in the construction industry. The third question dealt with the subject of whether or not it was ethical for a general contractor to frontload the cost or increase the claimed amount of work completed early in the project to get more initial money from the owner. The responses were:

Continued on page 3...

Feature Article - Construction Ethics - Cont. from Page 2

- Business Practice is Ethical?: Total 53.9%; Young Leaders 55%; Senior Management 52.6%
- Business Practice is Unethical?: Total 46.2%; Young Leaders 45%; Senior Management 47.4%
- Happens in the industry Yes?: Total 84.6%; Young Leaders 80%; Senior Management 89.5%
- Happens in the industry No?: Total 15.4%; Young Leaders 20%; Senior Management 10.5%
- Happens in my company Yes?: Total 53.9%; Young Leaders 50%; Senior Management 57.9%
- Happens my company No?: Total 46.1%; Young Leaders 50%; Senior Management 42.1%

The fourth question referred to the situation where the owner required the contractor to review the design and assure the owner that it would furnish a "complete" project, even though certain details were omitted from the design. The responses were:

- Business Practice is Ethical?: Total 30.8%; Young Leaders 30%; Senior Management 31.6%
- Business Practice is Unethical?: Total 69.2%; Young Leaders 70%; Senior Management 68.4%
- Happens in the industry Yes?: Total 89.7%; Young Leaders 85%; Senior Management 94.7%
- Happens in the industry No?: Total 10.3%; Young Leaders 15%; Senior Management 5.3%
- Happens in my company Yes?: Total 59%; Young Leaders 50%; Senior Management 68.4%
- Happens my company No?: Total 41%; Young Leaders 50%; Senior Management 31.6%

Next, everyone was asked if they believed that contractors take advantage of plan errors and omissions, since they can form the basis for a claim for additional compensation and/or contract time. The responses were:

- Business Practice is Ethical?: Total 29.7%; Young Leaders 20%; Senior Management 41.2%
- Business Practice is Unethical?: Total 70.3%; Young Leaders 80%; Senior Management 58.8%
- Happens in the industry Yes?: Total 89.2%; Young Leaders 85%; Senior Management 94.1%
- Happens in the industry No?: Total 10.8%; Young Leaders 15%; Senior Management 5.9%
- Happens in my company Yes?: Total 35.1%; Young Leaders 30%; Senior Management 41.2%
- Happens my company No?: Total 64.9%; Young Leaders 70%; Senior Management 58.8%

Another question addressing subcontractor conduct assessed whether or not the subcontractors intentionally inflated their prices for change order work, since they knew that the general contractor would have difficulty getting another subcontractor to do the required work on short notice. They responded as follows:

- Business Practice is Ethical?: Total 25%; Young Leaders 20%; Senior Management 31.3%
- Business Practice is Unethical?: Total 75%; Young Leaders 80%; Senior Management 68.7%
- Happens in the industry Yes?: Total 91.7%; Young Leaders 90%; Senior Management 93.8%
- Happens in the industry No?: Total 8.3%; Young Leaders 10%; Senior Management 6.2%
- Happens in my company Yes?: Total 27.8%; Young Leaders 20%; Senior Management 37.5%
- Happens my company No?: Total 72.2%; Young Leaders 80%; Senior Management 62.5%

Continued on page 4...

Feature Article - Construction Ethics - Cont. from Page 3

These questions generated quite a bit of discussion among the participants, and it was interesting to see where the young leaders and senior management agreed or disagreed. It was also very enlightening to see that twice as many senior managers believed that it was ethical to take advantage of plan errors and omissions, as compared to the young leaders. It appears that many of those who responded in the affirmative believe that it is proper to rely on the completeness of the plans and specifications. If problems develop at a later date, then it is acceptable to request additional compensation and/or contract time from the owner.

In other industries, where ethics are not mandated with specific rules and regulations, ethics would be defined simply as what we value highly in our business dealings with one another. Proper ethics should always govern our thoughts and be a part of what we do on a daily basis. It is important to note that in all cases, good standards of conduct start from the top down. Leaders are to set the example and shape the climate and culture of the organization. They define their company's most important values, and encourage proper behavior for their entire staffs.

Thus, in conclusion, the drafting of contract documents, partnering sessions and even contract delivery methods can provide opportunities to address ethics in construction. Most of the problems portrayed in the questions above can be reduced or eliminated in the terms of the contract, the way the partnering sessions are conducted and even when the owner is deciding how to structure the project. When there is a greater amount of collaboration from the outset of the project, then trust and cooperation will be enhanced between the owner, designer, construction manager and contractor. Conversely, if this is not done, then the relationships between the various parties will be strained and claims will most likely follow.

David Morgan, CPE is a Chief Capital Cost Estimator for RTD FasTracks

Pictures From the September Program





LOCATION Oxford Hotel

Oxford Hotel 1600 17th Street Denver, CO 80202

COST

Members \$50 NonMembers \$60 Students \$25

TO REGISTER

Visit agccolorado.org, call 720.235-1950, or email andrea@aspedenver. org

ASPE Denver Estimating Academy

October 28, 2011 1:00pm - 4:30pm

Presented by:

Paul Martin – ASPE National Education Committee and Dr. Hung Nguyen of HerreroBoldt, San Francisco CA

Agenda

1:00pm - 3:00pm - How to Integrate 3D Models to Aide in a Reliable Estimate

3:00pm - 3:15pm - Break

3:15pm - 4:45pm - Trends in Estimating, A Roundtable Discussion

How to Integrate 3D Models to Aide in a Reliable Estimate

Construction estimators are certainly living in an exciting time. As a profession, we find ourselves in the midst of adjusting our traditional approach, our thought processes, our techniques and our quantity analyses. To stay on the cutting edge and remain competitive an estimator must embrace the wonderful technology boom of (BIM) and model based take-off.

The Cathedral Hill Hospital Project is a \$1.7 billion (project cost) acute care hospital in San Francisco. California Pacific Medical Center, an affiliate of Sutter Health, is designing and building this project using the Integrated Project Delivery (IPD) method. The IPD team, led by HerreroBoldt, is successfully using a highly coordinated 3 dimensional model for complex quantity analysis.

We will discuss:

- Interactive quantity checks using 3 dimensional model collaboration
- Benefits and challenges to model based quantity take off and analysis
- Steps to utilizing the 3 dimensional model from an estimators' prospective
- Discuss concepts, approach and theory to successfully utilizing a 3 dimensional model for the purpose of informing the project estimate

Trends in Estimating, A Roundtable Discussion

This session will be an interactive discussion with some of the Regions top chief estimators from California, Organ, Utah, Texas and Colorado. You will have the opportunity to discuss and learn from your fellow estimators. We will examine many important topics and challenges facing the construction estimating profession.

Some of the topics that will be addressed:

- *Business decisions based on the current state of the industry and its effect on the estimator's approach and final product
- *New and changing technology and its effect in the estimating profession
- *New and relevant challenges that estimators must address to stay competitive

Bios---

<u>Paul Martin</u> is a senior estimator for Herrero Contractors, Inc., a General Contractor based in San Francisco, CA. He is also a LEED-accredited professional through the USGBC. Mr. Martin serves on the National Education Standards Board of the American Society of Professional Estimators (ASPE). Mr. Martin teaches Construction Estimating and Bidding at University California Davis Extension. He also holds a chair on the UC Davis Extension Estimating Certificate Advisory Board.

Mr. Martin has more than 15 years of construction estimating experience ranging from healthcare, hotels, parking structures and public works projects.

Mr. Martin is currently the Sr. Estimator for the Cathedral Hill Hospital Project; a \$1.7 billion (project cost) acute care hospital in San Francisco. The project team is using the method of Integrated Project Delivery, an approach used for all California Pacific Medical Center/Sutter Health capital projects.

<u>Dr. Hung Nguyen</u> is a Virtual Design and Construction Specialist for Herrero Contractors Inc. He is currently working for HerreroBoldt (a partnership between Herrero Contractors and The Boldt Company) at the Cathedral Hill Hospital Project. In this position, he works with the Integrated Project Delivery team to implement construction process simulation, model-based scheduling, model-based quantity takeoff and estimating.

Dr. Nguyen received a PhD degree from the University of California at Berkeley, his doctoral research focused on lean construction, target value design, integration of product, process and cost, and model-based cost estimating. In 2008 he completed the Management of Technology program at Hass Business School, Berkeley. In 2004 he was awarded a Master of Science/Engineering in Construction Management and Value Management from the University of Leeds, United Kingdom. Dr. Nguyen has 8 years of experience working in the construction industry, including residential, office, water treatment plant, and healthcare projects.



OCTOBER 28 & 29



Northwest / Southwest ASPE REGIONAL MEETING

DENVER Welcomes its Fellow ASPE Chapters to the 2011 Northwest / Southwest Regional Meeting!

The site of our meeting, Denver's Historic Oxford Hotel is a luxury boutique hotel in downtown Denver. Magnificently crafted, the Oxford opened in 1891 as Denver's first hotel. The Oxford Hotel is located in the heart of Denver's lively LoDo (Lower Downtown) historic district. The hotel is just three blocks from Coors Field, home of the Colorado Rockies; one block from the renowned 16th Street Pedestrian Mall, with dozens of restaurants, bars, shopping, people watching and a FREE shuttle taking you from one end to the other. With its central location, the Denver International Airport is just a 35-minute drive away. Valet parking is available from the hotel.

> Plan on staying for Saturday Night's "Halloween Boolesque" at Lannie's Clocktower Cabaret! Cost is \$25.00 per person

MEETING SCHEDULE

October 28

12:30 pm-1:00 pm- Registration 1:00 pm-3:00 pm -How to Integrate 3D Models to Aide in a Reliable Estimate

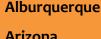
3:00 pm-4:30 pm- Trends in Estimating (Roundtable Discussion)

5:00 pm-7:00 pm—Welcome Reception

October 29

7:00 am- Breakfast (included) 8:00 am-Noon -Regional Meetings Noon-1:00 pm -Lunch (included) 1:00 pm-4:00 pm -Regional Meetings

8:00 pm –"Halloween Boolesque" (optional)



Arizona

Dallas / Fort Worth

Denver

Golden Gate

Houston

Inland Empire

Las Vegas

Los Angeles

Old Pueblo

Orange County

Portland

Puget Sound

Reno

Rio Grande

Sacramento

Salt Lake City

San Antonio

San Diego

Santa Clara Valley



Send registration form to andrea@aspedenver.org. Registration Fee \$75 Send payment to ASPE Denver Chapter 5.1114 W 7th Ave, Ste 250. Denver. CO. 80204



REGISTRATION FORM ASPE Northwest/Southwest Regional Meeting

October 28-29, 2011 Denver, Colorado

Name: Chapter: Company: Phone: Email: Registration: \$75.00 (includes Welcome Reception, Breakfast and Lunch) Regional Meeting Halloween Boolesque (Add \$25.00 per person) Send registration form to andrea@aspedenver.org Make checks payable to ASPE Denver Chapter 5

Hotel Information:

Mail payment to: ASPE Denver Chapter 5-1114 W 7th Avenue, Ste 250-Denver, CO 80204

The Oxford Hotel ASPE Group Rate is effective until 10/15/11. Make your reservations before the date for the special rate and to guarantee availability.

Room Rate is \$120 per night plus taxes/fees. For Room Reservations Call (800) 228-5838

Shuttle Service is available from DIA to the hotel through

You're Invited!

Construction Career Days VIP Breakfast * Program * Tour!



Wednesday, October 5, 2011 7:30 AM - 10:00 AM

Adams County Fairgrounds, 9755 Henderson Road, Brighton, Colorado 80601 Held in the Rendevous Room located in the Dome Building

Attend the 2011 VIP Breakfast

Governor's proclamation of Construction Careers Week

Regional Guest Speakers:

Dusti Gurule, Representative of Secretary of Labor Hilda I. Solis

Mostafa Khattab, Ph.D., Department Head, Colorado State University, Construction Management

Presentations from industry leaders

Construction Career Days Alumni

REGISTER HERE

www.ColoradoConstructionCareerDays.com/VIP.html

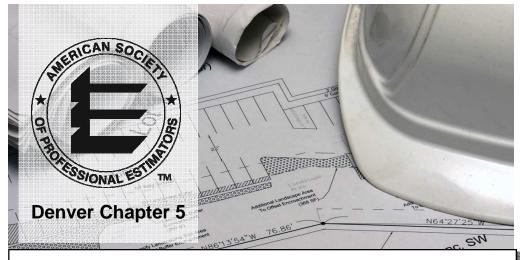
Join Legislators, educators, and industry leaders for breakfast and witness over 1500 students experiencing hands-on career opportunities in the construction, architecture, engineering, and energy industries!

Thank you to our sponsors who are making the breakfast possible!









OCTOBER CHAPTER PROGRAM

Beyond the Takeoff—Analyzing the Risks and Costs of Key Contract Provisions

Why do projects go awry? Why didn't I know it earlier? What could I have done differently?

Have you ever asked these questions about one of your projects? If so, then you will want to hear from the experts who not only help solve the problem after it arises but also put a lot of effort in preventing the problem in the first place. SBSA (which stands for Solutions Before and Solutions After) will discuss how a quality assurance program conducted by an independent 3rd party can answer some of these questions. The topics will include key contract provisions that should be understood with respect to such quality assurance programs and what these programs include or exclude. Some lessons that have been learned, or should have been learned, will also be presented to give real examples of the importance of quality on a project.

About the Presenters: Messrs. David A. Norfleet and Dana C. Mohr will be the presenters. David is a Certified Cost Consultant (CCC) and a Certified Forensic Claims Consultant (CFCC) with the Association for the Advancement of Cost Engineering (AACE International) where he is a Board Director of the Rocky Mountain Section. He is also a Member of the Royal Institution of Chartered Surveyors (MRICS) further certifying to both his analytical and claims expertise in the international markets. He is also qualified as an expert witness in construction claims and disputes cases. Dana, who is an attorney, joined SBSA earlier in the year as an expert in contracts and a key player in SBSA's claims avoidance and resolution practice. He will soon graduate from DU's Real Estate and Construction Management Master's program.

Event Details

Date/Time:

Tuesday, October 11, 2011

5:00 pm - Registration/Networking

6:00 pm - Dinner

7:00 pm - Program

Location:

VQ Hotel at Mile High 1975 Mile High Stadium Circle 12th Floor Denver, CO 80204

Registration

Early Registration:

Ends October 5, 2011 Members: \$40.00

Non-Members: \$45.00

Standard Registration:

After October 5, 2011 Members: \$45.00

Non-Members: \$50.00

To Register by Phone, Please call (720) 235-1950 or Email info@aspedenver.org

Headquarters

1114 W. 7th Avenue Suite 250 Denver, CO 80204 Phone (720) 235-1950 Fax (303) 757-4313 www.aspedenver.org info@aspedenver.org

Cancellation Policy: Although we hope you are able to attend each event for which you register, should you find it necessary to cancel your registration, please do so four business days before the event. If we receive your cancellation within this time frame, you will receive credit towards a future event. However, if we receive your cancellation less than four days before the event, we will be unable to issue a credit. All cancellation requests are to be received in writing via fax to (303)388-0936 or email info@aspedenver.org.

ASPE Code of Ethics

Canon 1 Professional estimators shall perform services in areas of their disciplines and competence.

Canon 2 Professional estimators should continue to expand their professional capabilities through continuing education programs to better enable them to serve clients, employers and the industry.

Canon 3 Professional estimators should conduct themselves in a manner, which will promote cooperation and good relations among members of our profession and those directly related to our profession.

Canon 4 Professional estimators shall safeguard and keep in all confidence all knowledge of the business affairs and technical procedures of an employee or client.

Professional estimators shall conduct themselves with integrity at all times and not knowingly or willingly enter into agreements that violate the laws of the United States of America or of the states in which they practice. They shall establish guidelines for setting forth prices and receiving quotations that are fair and equitable to all parties.

Canon 6 Professional estimators shall utilize their education, years of experience and acquired skills in the preparation of each estimate or assignment with full commitment to make each estimate or assignment as detailed and accurate as their talents and abilities allow.

Canon 7 Professional estimators shall not engage in the practice of "bid peddling" as defined by this code. This is a breach of moral and ethical standards, and a member of this society shall not enter into this practice.

Canon 8 Professional estimators and those in training to be estimators shall not enter into any agreement that may be considered acts of collusion or conspiracy (bid rigging) with the implied or expressed purpose of defrauding clients. Acts of this type are in direct violation of the Code of Ethics of the American Society of Professional Estimators.

Canon 9 Professional estimators and those in training to be estimators shall not participate in acts, such as the giving and receiving of gifts, that are intended to be or may be construed as being unlawful acts of bribery.

President's Article Continued...

For those of you who didn't make it to last month's meeting, please be sure and make it this month at our new conveniently located meeting place: Hotel VQ at Mile High, 1975 Mile High Stadium Circle, Denver, CO 80204.

As always, If I may be of assistance, please give me a call at (303)659-7861, ext 112, or email me at: heather@rollingplains.com

Save the Date!

CREW Denver Women of Influence
Awards Luncheon
October 18, 2011
For more information visit:
http://www.crewdenver.org/woi

Membership Statistics (as of September 26, 2011)

Current Membership Count 99

Chapter Membership Classifications:

27.27% 27 Certified Professional Estimator (CPE)

56.57% 56 Estimator (E)

8.08% 8 Associate Member (ASM)

1.01% 1 Constructor (C)

0.00% 0 Student (S)

5.05% 5 Affiliate Member (AF)

0.00% 0 Member Emeritus (ME)

0.00% 0 Honorary Member (HM)

2.02% 2 Fellow (FCPE)

100% 99 TOTAL

Member Company Roster

The following is a list of companies who are represented at ASPE Chapter 5...

Acoustical Concepts

Acoustical Services Corp.

Adolfson & Peterson Construction

Akima Construction Services, LLC

Alutiiq, LLC

ARC Integrated Program Management

Assoc. Construction Consultants

Buckles & Associates

Building Tech Consultants, Inc.

Catamount Constructors

CDM Constructors

CFC Construction Company

CH2M Hill Constructors, Inc.

CLC Associates, Inc.

Coblaco Services

dcb Construction Company, Inc.

Demand Construction Services, Inc.

Douglas Roofing

Drake Williams Steel

Duro Electric Company

Eastcliffe Construction LLC

ETG Systems, Inc.

Fransen Pittman General Contractors

Golden Triangle Construction

Heartland Acoustics & Interiors

Heggem-Lundquist

Howell Construction

Hyder Construction, Inc.

Insituform Technologies, Inc.

Interior Alterations, Inc.

J.E. Dunn

Jacobs Engineering Group

J.R. Huston Consulting

Kellogg, Brown & Root, Inc.

Landtech Contractors Inc.

Ludvik Electric

Madsen Kneppers & Associates

Main Electric

Management Computer Controls

Maxwell Builders

Merrick & Company

Metro Steel Fabricating

Mortenson

MWH Constructors

Northern Electric Inc.

PA Consulting Group

Palace Construction Co.

Pasterkamp Heating & Air Conditioning

Pinkard Construction

Quote of the Month

"Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen."

~ Sir Winston Churchill

ASPE 2011-2012 Meeting Schedule

October 11, 2011

November 8, 2011

December 13, 2011

January 10, 2012

February 14, 2012

March 13, 2012

April 10, 2012

May 8, 2012

Member companies cont...

Piper Electric

R.D. Simmermon & Company

RFP Consulting, Inc.

Rider Levett Bucknall

Roche Constructors

Rolling Plains

Shaw Construction

SL Mechanical Consulting, Inc.

Solutions Before Solutions After

Spears Manufacturing

Starr Painting and Drywall

Sturgeon Electric

Sunstate Equipment

T.P. Enterprises, Inc.

Tetra Tech

The Blue Book

Total Plumbing, Inc.

Trautman & Shreve, Inc.

Universal Forest Products

Vertex Construction Services, Inc.

Weifield Group Contracting

West Electric

ASPE Denver Chapter 5 1114 West 7th Avenue, Suite 250 Denver, CO 80204

(720) 235-1950 info@aspedenver.org www.aspedenver.org

Association Management:

Rocky Mountain Construction
Alliance, LLC
Executive Directors:
Dave Davia & Michael Gifford

OFFICERS:

President: Heather Boulanger

Rolling Plains, Inc., Email: heather@rollingplains.com

1st Vice President: Eric Ross, CPE

Management Computer Controls, Email: laurenanderic@comcast.net

2nd Vice President: Kye Holtan-Brown, CPE Pinkard Construction, Email: <u>khb4111@gmail.com</u>

3rd Vice President: David Morgan, CPE

Jacobs Engineering Group, Email: <u>David.Morgan@RTDFastracks.com</u>

Secretary: Jim Dent

Weifield Group Contracting, Email: ident@weifieldgroup.com

Treasurer: Steve Larson

SL Mechanical Consulting, Email: slarson757@comcast.net

BOARD OF DIRECTOR MEMBERS:

Gary Beatty, CPE, Mountain Steel & Supply Company, garyb@mountainsteel.com

Marc Reid, CPE, dcb Construction, amreid1975@gmail.com
Robert Steele, Maxwell Construction, rsteele@maxwellconst.com
Craig Tarr, Madsen Kneppers & Associates, ctarr@mkainc.com

COMMITTEES:

Awards Committee Chair:

Heather Boulanger, Rolling Plains, Inc.

(303) 659-7861 Email: heather@rollingplains.com

Certification Committee Chair:

Bruce Thompson, CPE, Merrick & Company

(303) 751-0741 Email: bruce.thompson@merrick.com

Education Committee Chair:

Kye Holtan-Brown, CPE, Pinkard Construction (303) 345-2842 Email: khb4111@gmail.com

Ethics Committee Chair:

Marc Reid, CPE, dcb Construction

(303) 287-5525 Email: amreid@comcast.net

Industry Relations Chair:

Marc Reid, CPE, dcb Construction

(303) 287-5525 Email: <u>amreid1975@gmail.com</u>

Membership Committee Chair:

Eric Ross, CPE, Management Computer Controls (800) 225-5622 Email: laurenanderic@comcast.net

Program Committee Chair:

Kye Holtan-Brown, CPE, Pinkard Construction (303) 345-2842 Email: khb4111@gmail.com

Newsletter Committee Chair:

Chris Morton, CPE, Howell Construction

(303) 899-4784 Email: cmortoncpe@comcast.net

Newsletter Editor/Webmaster

Suvi Caton, CPSM, LEED AP, Strategic Marketing Concepts (SMC)

(720) 480-5187 Email: suvicaton@smc-strategy.com