

MERIT BUILDER

The Voice of Merit Shop Construction

FALL 2016 • Rocky Mountain Chapter



PASSION AND A COMMON GOAL LEAD TO SUCCESS
MILENDER WHITE - P. 24

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Editor
Scott Merritt
303.832.5812 • E-mail: smerritt@abcrmc.org

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Production
Scott Merritt
E-mail: smerritt@abcrmc.org
303.832.5812

Printing
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E-mail: info@1TouchPoint.com
303.227.1400

Address changes, comments and inquiries to:
Editor, ABC Merit Builder
2267 West Yale Avenue
Englewood, CO 80110
Phone: 303.832.5812
E-mail: smerritt@abcrmc.org

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2016 Election - Ballot Measures, Positions & Candidate Endorsements



Mark Latimer
CEO / President,
ABC Rocky Mountain
Chapter

The Rocky Mountain Chapter of Associated Builders and Contractors (ABCRMC), the state's leading construction industry organization advocating for the merit shop and free enterprise, has been actively involved in several campaigns including raising funds to support or oppose ballot measures that will impact the construction industry and our members. The Government Affairs Committee has reviewed and made recommendations to the Board of Directors for official positions on proposed ballot measures.

Positions on State Ballot Amendments/Initiatives taken by ABCRMC's Board of Directors:

Amendment 69 - State Single-Payer Health Care System

Amends the constitution to create a massive state run government-run health care system. Levies \$25 billion in new taxes (2 times the size of the state general fund) via a new 10% income tax on ALL income. All Coloradans will pay into the system giving Colorado the highest income taxes in the nation.

The plan calls for a 3.33 % payroll tax increase for employees and 6.67 % increase for employers, as well as a 10 %

“health care premium tax” on non-payroll income. Amendment 69 would place a tremendous burden on small businesses and sole proprietorships.

Amendment 69 would require the Colorado General Assembly to repeal or amend the Workers' Compensation Act and other laws concerning the provision of medical care for workers who suffer work-related injuries and illnesses and the payment of premiums for medical benefits.

For more information on the impact to employers and employees visit www.coloradansforcoloradans.com.

Vote NO on Amendment 69

Amendment 70 - \$12 Minimum Wage Amendment

Amendment 70 is an initiative proposed and funded by two of the nation's wealthiest and most politically active labor unions, the Service Employee International Union (SEIU) and AFL-CIO. It is part of a broader national push to dramatically increase the minimum wage. Their initiative would place a dramatic minimum wage hike in the Colorado Constitution, increasing the minimum wage by 44% for most entry-level workers, and 70% for servers, bartenders and other tipped

employees by 2020. Wages would continue to rise through cost of living increases year over year.

Many businesses will be forced to raise prices to cover their increased labor costs – costs that will be borne by many businesses who currently pay more than the minimum wage. Additionally, with entry-level workers making \$12/hour there will be pressure to raise wages for all employees, causing increased labor costs for many businesses that currently pay more than the minimum wage.

Additional information can be found at www.keepcoloradoworking.com.

Vote NO on Amendment 70

Initiative 96 - Raise the Bar

Requires that any petition for a citizen-initiated constitutional amendment be signed by at least 2 percent of the registered electors in each of the 35 state Senate districts. The percentage of votes to pass any proposed constitutional amendment would be increased from a majority to at least 55% of the votes cast, unless the proposed amendment only repeals any provision of the constitution.

Current law has no geographic requirement in obtaining signatures for a ballot initiative. Consequently, the populated urban areas around Denver dictate access to the ballot. Meanwhile, the rest of the state, including rural Colorado, deserves a voice when it comes to placing Constitutional questions on the ballot.

For more information go to www.raisethebarco.com.

Vote YES on Initiative 96

ABCRMC Endorsed Candidates

This year ABCRMC is proud to be endorsing five candidates for federal elections through the ABC PAC and 33 candidates for statewide offices with funds from our State Political Committee. The candidates have been vetted by ABC's Government Affairs Committee and approved by the ABC Rocky Mountain Chapter's Board of Directors.

Each of the pro-business candidates listed on the insert have earned ABC's endorsement because of their strong support of free-enterprise and open competition. Incumbents running for re-election must have a proven voting record on issues consistent with the merit shop philosophy to be considered for endorsement. In addition to being endorsed by ABC, most of these candidates have received a donation to their campaign from ABCRMC's Political Committee. When completing your mail in ballot, please remember to vote for these individuals who support the construction industry and free-enterprise.

Important Election Dates

October 24 - General Election Early Voting Begins

October 31 - General Election Absentee Ballot Request Deadline

October 31 - General Election Voter Registration Deadline

November 8 – General Election (Absentee Ballot Due Date) ■

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Court of Appeals Changes Calculation of Statute of Repose



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Colorado law generally prohibits construction defect lawsuits brought against a construction professional “more than six years after the substantial completion of the improvement to the real property.” This liability cut off applies to both homeowner suits against contractors and indemnification suits by general contractors against their subcontractors. In *Shaw Const., LLC v. United Builder Servs., Inc.*, the Court of Appeals ruled a single building (or phase) of a multi-phase project is substantially complete, for purposes of the statute of repose, when a Certificate of Occupancy is issued.

The Court of Appeals recently changed this calculation in *Sierra Pacific Industries, Inc. v. Bradbury*, ruling the statute of repose for a general contractor’s claims against a subcontractor begins to run when that subcontractor’s scope of work is substantially complete, not when the project is substantially complete. The likely effect of this ruling is to create a “construction grace period” in which construction professionals whose work is completed earlier in the project will face shorter exposure to liability for defective work because it is relatively rare for defects to manifest, and suits to be brought, prior to the project’s completion.

While the “grace period” is good news for architects, engineers, and subcontractors who complete their scope of work early in a project, the effect on developers, general contractors and late sequence subcontractors is quite the opposite. They face

the prospect of being liable for a subcontractor’s defective work without the ability to seek indemnification from that subcontractor because the statute of repose has run. Subcontractors who complete their work late in the construction project may face increased pressure from suits attempting to attribute defects to their work, rather than a defective substrate. While the standard ISO completed operations additional insured endorsement extends coverage to a developer or general contractor for liability arising from the subcontractor’s defective work, insurers may attempt to argue against coverage on the ground the subcontractor’s liability was extinguished by the statute of repose. They may also include non-standard endorsements conditioning coverage on a subcontractor’s liability. Insurers may argue completed operations coverage for construction defects on Projects covered by an OCIP or CCIP policy commences as soon as the first subcontractor’s work is completed, rather than at substantial completion of the Project, opening the risk that coverage may terminate before the statute of repose expires.

Construction defect risk management may require a different, or expanded, strategy in this new legal environment. Definitive records should be kept as to when each subcontractor finishes work on the project. Developers may wish to engage peer review of architects’ and engineers’ work. General contractors may wish to devote more resources to quality control. Developers and general contractors may

Definitive records should be kept as to when each subcontractor finishes work on the project. Developers may wish to engage peer review of architects' and engineers' work.

also wish to contract around the risk they will not be able to seek indemnification from early completing contractors and subcontractors. Experienced construction lawyers can draft and recommend contract language to include in future agreements.

From an insurance perspective, developers and general contractors must confirm the subcontractor's additional insured endorsement triggers completed operations coverage for them based on the subcontractor's defective work, not the subcontractor's ultimate legal liability. Developers and general contractors should also pay close attention to the completed operations trigger when negotiating OCIP and CCIP wraps. Properly qualified insurance professionals, including brokers and experienced coverage lawyers, can assist with crafting an

effective insurance program that should reduce or avoid the coverage concerns *Sierra Pacific* might create.

It is unclear whether *Sierra Pacific* will be appealed. For the foreseeable future, however, the statute of repose for defect suits against construction professionals will be calculated from when that professional finishes its scope of work.

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Heating & Plumbing Engineers, Inc. (HPE) and ABC are dedicated to ensuring that Colorado has a skilled workforce while building the Colorado community. **Reanna Werner** of HPE and **Mark Latimer** of ABC Rocky Mountain had the opportunity to discuss how they plan to help resolve the labor crisis with Dan Daru of Fox 31 news.

Focusing our efforts on entry into apprenticeship programs while building up our skilled labor force will ensure that the construction industry is positioned for ultimate success in the future. HPE offers an in-house four-year apprenticeship program. They take great pride in developing the best talent in the plumbing industry. Also, they work side-by-side with ABC in various training for their current skilled labor force. Together, ABC and HPE are building a brighter future for the trades.



Mark Latimer (facing) talks to Fox 31 reporter Dan Daru.

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The 1...2...3s of ABC

“ABC Essentials” Orientation

October 28, 2016 • 8:00 a.m. to 9:15 a.m.
ABC TEC • 2267 West Yale Avenue • Englewood, CO 80110

This event is open to all current & future ABC members!

We know that new members of an association as diverse as Associated Builders and Contractors often feel a little overwhelmed and don't know where to start! Even seasoned members don't always know everything that goes on within their association. That's why we are inviting you to the 1...2...3s of ABC!

In about an hour and 15 minutes, ABC staff, committee, and board members will give you all the information you need to get the most out of your association and get you integrated as much or as little as you wish. We will cover networking, education, safety, governmental affairs, affinity programs and how they benefit you! If there will be more than one person from your company active with ABC, please bring them along. The more the merrier!

There is no charge and breakfast/refreshments are included!

To register, visit www.abcrmc.org and click the rotating banner or contact Brett Denison 303-832-5812 or email her at bdenison@abcrmc.org

The holidays are fast approaching and you know what that means...holiday cheer, good will toward men, and recognizing ABC members for their participation over the year! At our annual holiday social in December we will be auctioning off items for \$ABC Bucks and, since Santa Claus is SO busy this time of year, we need some help providing the goods! We are asking members to donate one or more of the below items so that we have plenty of gifts to thank our members for the time they donated to the association. Companies who donate an item(s) will be recognized and thanked at the holiday social and in Merit Builder magazine!



Below are suggested items but you can donate items not on this list. If you can help us in this effort, please put a mark next to the items you wish to donate. While ABC reserves the right to allocate gifts to either holiday party, please indicate which party you would like to donate your items to; Northern Colorado or Denver. **THANK YOU SO MUCH FOR YOUR HELP!**

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- Other (\$25 min. value) _____
- In lieu of a gift, I would like to donate cash for ABC to do the shopping for me \$ _____

Since these will be personal-use items, please no company branded items.

Name: _____ Phone: _____

Company Name: _____ Email: _____

Please email or fax your form to Joanna Johnson at 303-832-5813 jjohnson@abcrmc.org

How would you like 100 bucks?

For each new contractor* that you recruit (between October 1 - December 31, 2016) receive \$100 off your 2017 renewal dues!**



If you're interested in taking advantage of this opportunity:

- **Pull together a list of contractors that YOU currently work with, that are not already an active member of ABC (see reverse).**
- **Contact Brett Denison at ABC to get your "15 for 12" success kit.**
- **Follow the checklist in the kit.**
- **Watch your association grow!**

Contact Brett Denison for more information:

bdenison@abcrmc.org | 303.832.5812

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*A Contractor is defined as: n. 1) commonly, a person or entity that agrees to construct a building or to provide or install specialized portions of the construction. The party responsible for the over-all job is a "general contractor," and those he/she/it hires to construct or install certain parts (electrical, plumbing, roofing, tile-laying, etc.) are "subcontractors," who are responsible to the general contractor and not to the property owner.

** Does not include National dues and must not exceed the chapter dues invoice amount.

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Turner Construction Company
Waner Construction
Western Slope Iron & Supply, Inc.
White Construction Group
Wrangler Electric
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New Members in 2016

ABC Rocky Mountain has welcomed nine new companies as members since the summer issue. Following is a list of those companies.

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14th Annual Cajun Boil

Windsor

We had another great turn out for the Cajun Boil on July 21st at **Bobcat of the Rockies** in Windsor. Thank you to everyone who attended. This was the summer ABC event for members and their families to enjoy good food, drinks and get together for fun in a casual atmosphere. We hope you enjoyed yourselves and hope to see you again next year.



We also owe a big thank you to our sponsors for this event!

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First Annual ABC Shoot Out

Castle Rock

Thank you to all our participants in our First Annual ABC Shoot Out on Thursday, July 28th at DCF Guns. \$6500 was raised at the event and all of it will go toward Colorado's Free Enterprise Alliance - ABC's state political advocacy fund.

Congratulations to **Jeff Erker** of **FCI Constructors** for taking 1st Place!

To all the sponsors who helped make this possible, we thank you.

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Jeff Erker, 1st Place



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NoCo Economic Development Panel

Ft. Collins

Thank you to all our members, guests, panelists and sponsors for attending the NoCo Economic Development Panel on Thursday, August 11th at Colorado Youth Outdoors. Members who attended learned about current and future construction projects and how they will affect business in Northern Colorado from a panel of experts.

The panel of experts included:

- **Andrew S. Montgomery**, *Northern Colorado Economic Alliance (NCEA), Chief Executive Officer*
- **Jake Hallauer**, *Chrisland Real Estate Companies, Vice President*
- **Paul Harter**, *NoCo Manufacturing Partnership and Aqua-Hot Heating Systems, Owner & CEO*
- **Matt Derrington**, *Coloradans for Coloradans and CRL Associates.*

We also thank our sponsors which includes:

- **Event Sponsors: Flood and Peterson, Hensel Phelps, and Phase 2 Company**
- **Breakfast Sponsors: Mortenson Construction and Spacecon Specialty Contractors.**

We hope you learned a lot and enjoyed it! Hope to see you next year.



Justin Hurtado of Elwood Tradesmen introduces the panelists.

2016 ABC 500 PAC Fundraiser

Denver

Thanks to everyone who came out the afternoon of Thursday, August 18th to Unser Karting & Events for our annual ABC 500 PAC Fundraiser. All funds raised will be used to support the candidates who support merit shop and free enterprise.

Congratulations to the following:

- **1st Place: Brendan Banning, Hensel Phelps**
- **2nd Place: Billy Weber, LPR Construction**
- **3rd Place: Joshua Williford, Hensel Phelps**



Brendan Banning with Mark Latimer of ABC

As always, we thank our sponsors:

- **Kart Sponsors: Duro Electric and Rex Oil**
- **BBQ Sponsors: Matsuo Engineering, LLC and Spacecon Specialty Contractors**

14th Annual NoCo Golf Tournament

Windsor

Thursday, September 8th was another fine summer day for all the players, volunteers and sponsors who came to our tournament this year at Pelican Lakes Golf Course.

The CSU Construction Management Student Club was at the tournament to raise money. You can read more about them in the *CSU Rams Round - Up* on page 22.



1st Place Team: Matt Malin, Gabe Molina, Mike Adams and Ben Reed (not pictured)

Thank you for your generosity to all who participated and thanks to the CSU students who came to the event and helped out.

1st Place: Transwest Buick GMC Isuzu

- **Mike Adams**
- **Gabe Molina**
- **Matt Malin**
- **Ben Reed**

2nd Place:

- **Aaron Eide - Flood and Peterson**
- **Nick Roe - Flood and Peterson**
- **Rick Rosendahl - B & M Roofing**
- **John Borges - Coloscapes Concrete**

3rd Place: FCI Constructors

- **Tom Bucha**
- **Luke Murphy**
- **Michael Martin**
- **Rob Lawrence**

Men's Longest Drive sponsored by: Sunstate Equipment

Company - winner, Jon Bush.

Women's Longest Drive sponsored by:

DeWalt Power Tools - winner, Sam Koch.



"Ladies Tee" contestants

Closest to the Pin sponsored by: Ignite Video Productions - winner, Jason Oltman.

Closest to the Pin sponsored by: ABC Membership Committee - winner, Tom Harder.

Bauerle & Company Continues to Grow by Opening New Office in Loveland, CO

Denver

Bauerle and Company, P.C., a Denver-based certified public accounting firm, announces the expansion of their operations to new office space in order to accommodate continuing growth. The new office is located just off I-25 and Highway 34 at 1625 Foxtrail Dr #290, Loveland, CO.

Opening an additional location in Loveland extends Bauerle's commitment to client service by providing better access to their Northern Colorado clients as well as increasing their geographical footprint. The expansion will create more jobs in Northern Colorado and the ability to expand market penetration in that region.

"Colorado is growing at an exceptional rate and so are the needs of Bauerle's clients and employees," said **Tom Dosen**, Managing Partner. "Our team is excited about the growth we are experiencing. This new office reinforces our approach to being right there for our clients and our employees."

Pinkard Construction Tops Out at Centura Health's Emergency and Urgent Care Center in Lakewood


Lakewood

Pinkard Construction has completed steel erection and topped out on Centura Health's newest combined emergency and urgency care center in Colorado.

The new center, located at Wadsworth and Girton Ave, is approximately 10,000 sf, with 10 exam rooms, trauma room, laboratory, digital radiology room, bariatrics room, CT scan room, med prep area, drive-up EMS entrance, and extensive med gas. The project began in May and is on schedule to open January 2017.

Centura Health's hybrid emergency/urgent care locations provide patients with both emergency and urgent care services are open 24/7, 365 days per year. These locations are enhancing the convenience and access to health services, while helping to lower the cost of care.

Continued on page 18



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Pinkard Construction Completes CSU's South College Avenue Parking Garage

Fr. Collins

South College Avenue Parking Garage is open a full week ahead of schedule.

Completed by the design-build team of **Pinkard Construction**, H+L Architecture and Carl Walker, Inc., the \$15.2 million facility is a 222,000 square foot, 662-car, four-story precast structure on the southeast corner of the CSU campus. The first three levels opened in early August and the fourth level opened Friday, August 26th a full week ahead of schedule following completion of work on the canopy rooftop, which shelters the drive-ramp from weather and accommodates future installation of photo-voltaic panels.

In addition to the solar-panel-ready roof, facility users will find the latest parking technology, including color-coded lights that indicate open parking spaces.

Digital entrance signs alert parkers to the number of



spaces open on each level, thus reducing vehicle emissions associated with circling the garage looking for open spaces. The garage also sports six charging stations for electric vehicles.

Pay-per-hour spaces are linked to WayToPark, an app that provides users with a quick, online payment option that accepts credit cards.

The new parking structure is serviced by two elevators, and features a sandstone veneer exterior with curtainwall systems at each of the three structural steel stair cores. Foundations are cast-in-place with drilled piers.

The new structure repurposes a surface lot located between College Avenue and Mason Street, and Lake and Pitkin streets, adjacent to the Alumni Center and University Square. It provides access to the MAX, the Oval and the future medical center.

This design-build project with H+L Architecture featured a guaranteed maximum price at the RFP stage, and required the Pinkard/H+L design-build

team to develop DD-level bridging documents to the fixed GMP.

The project completed on time and under budget. Construction was conducted on a tight site amid considerable pedestrian and vehicular traffic.

White Construction Group Completes \$2.4M Renovations at Trinity United Methodist Church

Lakewood

White Construction Group

is excited to announce the completion of the 20,000 SF renovations to the Plaza building at Trinity United Method-



ist Church (TUMC). Teaming with Humphries Poli Architects, the 1984 church administration and education support building received a complete upgrade featuring new construction of administration offices, parlors, meeting and elementary rooms, new finishes, MEP and fire protection systems upgrades and

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a new exterior vestibule. All the existing base, door casing, doors, and chair rail was sanded off and re-stained to maintain the original look



with a modern touch. Exterior work included concrete caps along with waterproofing of the planters in the plaza area.

“This project was very meaningful to the TUMC organization and maintaining operations was a top priority. White Construction Group focused on this priority and was able to phase the project to minimize impact to operations and work hand in hand with TUMC to ensure a smooth turnover. In order to make this happen all trades involved had to step up and work together to aid in this process.” - **Eric Oberlander**, Project Manager, White Construction Group.

Since 2002, White Construction Group has been honored to work with Trinity United Methodist Church in preserving, restoring and rehabilitating the iconic “Modern Gothic” church located in Downtown Denver. ■

Upcoming Events

Excellence In Construction Awards

Friday, October 21st
Four Seasons Hotel Denver

ABC Essentials: the 1, 2, 3s of ABC

Friday, October 28th
ABC Offices • Englewood

Young Professionals Executive Panel

Thursday, November 3rd
Blake Street Tavern • Denver

NoCo/CSU Pool Tournament

Thursday, November 8th
CooperSmith's Pub & Brewing • Ft. Collins

NoCo Holiday Social

Thursday, December 1st
The Garden Room • Loveland

Denver Holiday Social

Thursday, December 8th
Location TBD • Denver

*Check the events calendar at
www.abcrmc.org/events for more details.*

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Dave Greiner Honored with ABC's National Life Member Award

Dave Greiner, **Greiner Electric**, was honored with ABC's prestigious National Life Member Award. Greiner was recognized during the national board meeting held in conjunction with the annual Legislative Week in Washington, DC, in July of this year. The nomination for award was made by his daughter, **Kris Wintroub**, who serves as CFO for Greiner Electric. The seconding speeches were made by his other children, **Kim Uhrig**, Owner/Office Manager of Greiner Electric; and **Brent Greiner**, President of Greiner Electric.

The National Life Member Award is designed to honor retired ABC members who have bettered our industry and promoted the objectives of free-enterprise and open competition. Award recipients exemplify the merit shop philosophy and remain strong advocates for the association.

Dave started as an apprentice electrician and worked his way up in several companies from Minnesota to California, before starting Greiner Electric in 1997. Shortly after starting the company he quickly got involved in ABC and became a leader within the association, at both at the chapter and national level.

He served on numerous chapter committees including chairing the chapter's Government Affairs Committee. He served on the Rocky Mountain Chapter's Board of Directors from 2000-2003 including serving as Chair in 2002.

Dave's involvement and commitment to ABC includes extensive leadership at the national level including serving as Region One Vice-President from 2008 to 2011. The impressive list of national leadership positions held by Dave include:

- National Board of Directors
- PAC Trustees
- Government Affairs Coordinating Committee
- Trimmer Education Foundation
- Grassroots Action Team
- Workforce Development Coordinating Committee

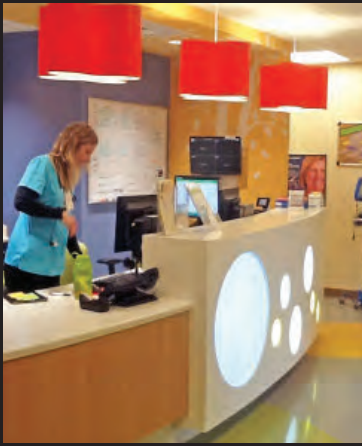
Dave has always been passionate about the merit shop philosophy; especially in terms of political advocacy. In 2003, he was awarded the prestigious Grassroots Member of the Year by ABC National for his dedication to advancing ABC's merit shop legislative agenda and promoting free enterprise.

Under Dave's leadership, Greiner Electric has always been dedicated to developing a well-educated workforce. All of their apprentices are enrolled in a mandatory, company paid, apprenticeship program through the Construction Industry Training Council. The company provides both in-house safety training and is the biggest supporter of our chapter's Construction Core Competency Safety Training program, ensuring that all of their employees receive the necessary training and certifications needed to be safe on the jobsite.

Dave Greiner exemplifies the Merit Shop Philosophy; believing that Merit Shop employers should have the safest and best trained workers in the industry. The Rocky Mountain Chapter is tremendously proud of Dave for receiving the Life Member Award for all his years of dedication to ABC. ■



Dave Greiner, left, receives the Lifetime Member Award



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Members Show Support for the CSU Competition Team



CSU at the NoCo Golf Tournament

Windsor

This year, a record \$830 was raised to benefit ABC's CSU Construction Management Student Club at the CSU "hole-in-one" contest. Thank you for your generosity to all who participated and thanks to the CSU students who came to the event and helped out at the contest hole; **Tanner Atchison** and **Dan Proud**. **Ty Eberhardt** and **Ian Rice** represented CSU by playing golf with ABC Members.

2016 CM Competition Team contact information, for anyone looking to help them prepare for competition:

- Ty Eberhardt – Team Captain
– Eberhardt.ty@gmail.com
- Ian Rice
– ianrice@rams.colostate.edu
- Kyle Deuschle
– kylede5280@gmail.com
- Tanner Atchison
– atchisontr18@gmail.com
- Darcy Wojciechowski
– darcywoj@rams.colostate.edu



Members of the CSU Student Chapter's competition team at the fundraiser.

Sip, Socialize & Support CSU Fundraiser

Denver

Some very supportive members came out for the Sip, Socialize & Support event Thursday night, September 15th, to The Lobby in Denver to benefit the CSU Student Chapter's competition team. The funds raised go toward their trip to Dallas in November for the ABC National Construction Management Competition. Over \$7,000 was raised at this event! Thank you to all who donated. It really makes a difference!

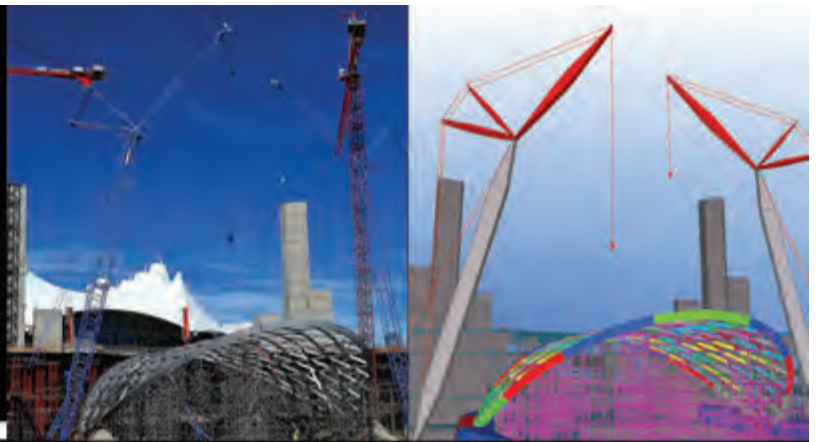
We also thank the sponsors and supporters who helped make this event possible.

- *Presenting Sponsors:* **Hensel Phelps** and **Matsuo Engineering, LLC**
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- *Event Sponsor:* **Encore Electric**
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- *BBQ Sponsor:* **Mortenson Construction**
- *Supporters:* **Bobcat of the Rockies, FCI Constructors**, and **Spacecon Specialty Contractors**.



Members of the CSU Student Chapter's competition team address the players at the NoCo Golf Tournament.

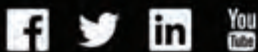
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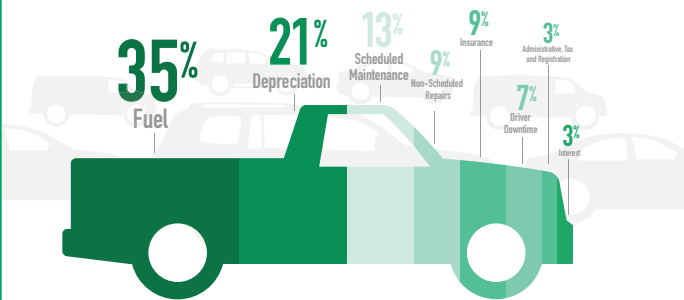
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The comfortable third floor gathering space features a double sided fireplace and is adjacent to a kitchen and a play area for children.
Photo by: Ben Eyster

Enhancing a Building to Enhance Lives



Story by Peter Sonke,
Proposal Writer, Milender White

On June 28, 2016, **Milender White** staff joined Denver Mayor **Michael Hancock**, District Attorney **Mitch Morrissey**, Denver entrepreneurs **Rose Anodom**, **Margaret Abrams**, **Maggie Morrissey** and over 100 leaders of agencies and organizations that provide services to domestic violence victims to celebrate the opening of the Rose Anodom Center.

The Rose Anodom Center in downtown Denver is the first facility in the Rocky Mountain region where victims of domestic violence and their families receive collaborative services and support from 23 public and non-profit

partner agencies in one safe location. The center expects to serve an estimated 3,000 victims per year.

Rose Anodom, the center's namesake, is a tireless advocate for domestic violence victims. From a childhood marred by domestic violence, to working nights to earn a college degree, to overcoming her own husband's abuse, she persevered and became a successful business woman, owning all three McDonald's franchises at Denver International Airport. Ms. Anodom donated the lead gift of \$1 million and subsequently contributed an additional \$500,000 to use as a match to double every additional dollar donated.

Mayor Hancock made this domestic violence center a goal of his administration and helped identify and secure a building at 1330 Fox Street. The 75,759 sq. ft., three-story, precast concrete building was selected for its central location near the Denver Justice Center and Police Department with easy access to mass transit and on-site parking.

The first floor includes a safe, welcoming reception area and 68 enclosed parking spaces. The second floor has a large training and conference area and eight leasable spec suites for other organizations with similar missions.

The third floor houses the partner agencies that assist clients with questions, referrals, legal issues, advocacy and counseling for adults and children, non-acute medical care and job training. There is a comfortable gathering space with a kitchen and play area for children, interview and counseling rooms, a quiet area and offices for staff.

The project presented unique challenges due to the extensive renovation needs, fundraising issues and security requirements. Milender White phased the project to best meet the needs of the clients – providing complete usability for sections of the building so the center could be opened, while other sections awaited additional funding.

Milender White met early and often throughout the project with all subcontractors and suppliers to personally discuss the importance of the project and get buy-in and support from each of them. Some gave labor, some provided materials and others wrote checks. All totaled, donations exceeded \$500,000 from 31 different companies.

Getting the center open as quickly as possible was a top priority. Initially, funding was only available to build out the critical first and third floor spaces. Therefore, the project schedule was divided into logical building areas by
Continued on page 26



Work progresses on the third floor
Photo by: Ben Eyster



West elevation.
Photo by: Milender White



The secured entry on the ground floor opens into a safe and welcoming reception area where two intake specialists welcome clients and identify which services they need to access while they are at the center.
Photo by: Milender White



Third floor framing for offices.
Photo by: Ben Eyster

floor levels, elevations, functional spaces and renovations to maximize progress within the funding constraints.

Schedules and work flow were adjusted regularly throughout the project to not only account for the irregular funding stream and availability of donated materials and services but to accommodate site tours for prospective tenants and the multiple stakeholders wanting to view the progress.

While addressing the group assembled for the ribbon cutting ceremony, **Margaret Abrams**, Executive Director of the Rose Adom Center remarked that “We celebrate the community coming together to create this fabulous resource in which victims and their children can feel safe, welcome and valued at a point in their lives where they may feel most discouraged and disheartened.”

The Rose Adom Center is the result of the generosity,

time and expertise of many individuals and organizations. Countless hours of collaboration were required to ensure that partnerships and programs offered at the center would be of the highest quality and those necessary to serve the victims in the community.

Open communication and close coordination among passionate stakeholders with a common goal made the project successful. Milender White is honored to have contributed to this vital community facility.

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A play area for children on the third floor.
Photo by: Ben Eyster

On June 28, 2016, Milender White staff joined Denver Mayor, Michael Hancock (left); Denver entrepreneur and the facility's namesake, Rose Adom (center); and District Attorney, Mitch Morrissey (right); and over 100 leaders of agencies and organizations that provide services to domestic violence victims to celebrate the opening of the Rose Adom Center.

Photo by: Milender White



Milender White President & CEO Bryon White presents a donation check to Mayor Hancock. Looking on are Maggi Morrissey, The Denver Justice Council left, and Darren Hinton, Construction Executive & Vice President at Milender White, right.
Photo by: Milender White



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Kuck Mechanical Completes Enzi STEM Building HVAC and Lab Exhaust at University of Wyoming

By Kuck Mechanical
Enzi Stem Project
Team



The University of Wyoming provides quality higher education to over 13,000 students each year, and virtually every student will attend a lab course while pursuing their education. As the existing lab facilities were outdated and expensive to maintain, the University needed a modern teaching laboratory that would provide an interactive learning environment for the students and faculty.

Funding was made available through a Wyoming legislative appropriation for a 107,000 square foot state-of-the-art facility which broke ground on March 8th of 2013.

The new \$50 million addition to the campus was named after **US Senator Mike Enzi** in honor of his contribution to education and in advancing the State of Wyoming in the areas of science, technology, engineering and math, or STEM.

Kuck Mechanical was awarded the HVAC contract which included a stainless steel duct system, four custom air handling units, fume exhaust for 73 lab hoods, fans and fan terminal units, and six 30' exhaust stacks, which were fabricated in our Loveland facility. These stacks have now become a prominent eye-catching addition to the campus skyline.

Quality/Cost Control

Extensive pre-construction collaboration with the Building Information Modeling (BIM) manager from BCER Engineering and other trades was performed to ensure the building system design, fabrication and installation was streamlined. By utilizing the BIM technology we were able to modify duct to fit in unusually tight spaces between floors, avoiding structural elements and potential conflicts. This process also integrated the HVAC with the other systems such as plumbing, sprinkler and electrical which increased productivity, reduced risk of rework, and eliminated project waste.

At Kuck Mechanical we fabricate our own ductwork and specialty equipment in our Loveland shop allowing us to customize our product as needed and closely monitor quality. We are able to avoid costly time delays in waiting for delivery of materials from another vendor by self performing the fabrication. Approximately 235,289 pounds of galvanized and stainless steel duct was fabricated and installed by Kuck Mechanical throughout the three story Enzi building in 32 labs, prep rooms, and offices which equated to over 132 tons of metal.

The Enzi STEM Laboratory was built to LEED standards and Kuck Mechanical provided material and equipment that met or exceeded the recommended control measures of SMACNA. Always committed to sustainability, we utilize construction methods and materials that minimize harmful effects to people and the environment.

Continued on page 32



*Beginning of Construction.
Photo courtesy of University of Wyoming.*



*Stacks in Kuck fabrication shop during fabrication.
Photo by Kuck Mechanical.*



*Preparing stack to be hoisted.
Photo by Kuck Mechanical.*

Project Challenges

The exhaust stack construction process first began with fabricating custom racks for the stacks to be placed on during the assembly and transportation process. Our skilled craftsman then took flat steel and created the pieces that were used to make the formidable stacks. During assembly, state of the art sound attenuating devices were added to each stack.

Once the individual pieces were welded together they were sand blasted, primed and painted. When the stacks were complete they were shipped individually to the jobsite where they were set on the roof with cranes and delicately placed on the six different exhaust fans, each stack with its own individual support system. This intricate process of installing the stacks was challenging due to weather factors and very specific safety protocol that had to be followed during the installation to ensure not only the safety of the construction team, but of everyone in the surrounding areas.

Once the stacks were in place, they were stabilized with a guy wiring system which was comprised of heavy duty steel wire, turnbuckles and clips that can withstand the harshest of outdoor elements.

Each of the air handling units we provided were just over 40 feet in length and 27,000 pounds. Due to their size, these had to be shipped to the jobsite in multiple sec-

tions for placement on the roof with cranes. Weather was also a dominant factor in determining when the craning process could be done.

Working in Wyoming can mean enduring extreme weather conditions at times. Our employees encountered exterior temperatures reaching -10° Fahrenheit and wind gusts of 60+ miles per hour. Being prepared for these situations is important and Kuck Mechanical's team diligently worked through obstacles that were put before them and were able to successfully complete this project in less than 15 months.

Safety

Providing our employees with the right tools, training and equipment was essential in the successful completion of this project. These factors, as well as safety, quality control and high productivity, are things that Kuck Mechanical Contractors takes great pride in. We finished the Enzi project with zero injuries. This achievement was made possible only by the hard work and commitment of all our team members.

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Exhaust stack being hoisted to roof of Enzi Building. Photo by Kuck Mechanical.



Bob Kuck, Project Foreman. Photo by Kuck Mechanical.

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I Can't Believe That's All the Millennials Wanted!

They are rude, lazy, apathetic, gossipy, disloyal, constantly complaining and not team players. “You don’t pay me enough,” “this is boring, it’s like the same thing, day after day!”



Does this sound familiar? It probably does, but not for the reason that you are thinking. You see, I am not talking about today’s youth, the Millennials.

I am talking about the Baby Boomers. WHAAAAAT? Yes, I am talking about you, Baby Boomers, and really, it’s not me saying this, it’s your mentors, the Greatest Generation*, those born before 1945. Don’t believe me? Check out Life magazine in May of 1968. Ernest Fladell wrote an article essentially saying the same things about Baby Boomers that we are now saying about Millennials.

Now, we know that the Baby Boomers turned out alright. In fact the Boomers have been the back bone of the U.S. workforce since the 80s. Most companies now a days are freaking out about how to replace their Boomer workforce. The Boomers possess all the companies “head knowledge” about how the company runs. Simultaneously companies are complaining about the incoming Millennials and their sense

of entitlement. Does this all sound familiar? History is cyclical. What we are really talking about when we talk about the Millennials is not the defining characteristics of a generation, no, we are talking about youthfulness. Youthfulness defined by Merriam-Webster - 1: of, relating to, or characteristic of youth <youthful inexperience>2: being young and not yet mature 3: marked by or possessing youth 4: having the vitality or freshness of youth.



Youthful Inexperience, that pretty much sums it up. As employers, we want - no - we need to backfill the vacuum of experience that will be left behind as the Boomers leave us. To do this we need mentor programs, cross training and a learning platform that lends itself to the way that Millennials prefer to learn. So, that’s what we want, but, what do the Millennials want? Amazingly enough, they want the same thing. Don’t believe me? A survey conducted by PWC and

recently republished in KPCB’s 2015 Internet Trends Report reveals that millennials actually desire training and development more than other working benefits.

When we talk about Millennials, really the only dif-



Bryan McClure,
CPLP
Sr. Consultant &
Safety Specialist



ference is how they want to learn. According to a survey by workplacetrends.com, Millennials want to learn online and have mentors. When asked what type of training would be most effective for their development as a leader, 68% said online classes and 53% said mentoring. Only 4% of Millennials said University courses. That's a thing of beauty isn't it? What companies want is to get the next generation up to speed so they can take over for the aging workforce that is retiring, and, what the youngsters want is to be trained and mentored! So what's the problem? Why haven't you started a training and development program? Probably because it is easier to focus on the things the older generations wanted; job security, bonuses, company cars, and health benefits. I am not saying those things aren't important, they are. But look at where they

rank for the Millennials. Don't know how to start a training program or don't have the resources? I know some people, give us a call.

It's like John Harvey once said, "If you think education is expensive, try ignorance."

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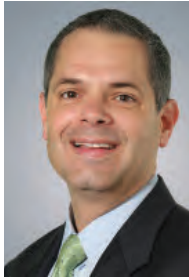
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A Homeowner's Bill of Rights: Reforming the Colorado Common Interest Ownership Act



Michael B. Lapicola
Faegre Baker Daniels, LLP



Ben Petre
Faegre Baker Daniels, LLP



Trip DeMuth
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Brian L. Lynch
Faegre Baker Daniels, LLP

Since the 1991 passage of the Colorado Common Interest Ownership Act (“CCIOA”), homeowners in common interest communities cannot decide or even vote on whether their residence should be involved in construction defect litigation. This denial of a fundamental right is likely contributing to Colorado’s lack of housing market diversity and preventing lower income and first-time homebuyers from entering the market. Proposed bills attempting to give these homeowners some control over their own domain have enjoyed strong support from the real estate and construction industry, but, because they have been called “Construction Defect Legislation,” opponents have mischaracterized the bills as permitting or promoting defective construction. Reform of CCIOA is desperately needed and, therefore, instead of calling it “Construction Defect Legislation,” the bill should be redefined to reflect its true purpose: the “Homeowner’s Bill of Rights.”

A. CCIOA and Failed Reforms

CCIOA grants the board of a home owners’ association (“HOA”) of any common interest community the authority to initiate litigation or administrative proceedings in its own name on behalf of itself or two or more unit owners on matters affecting the community. In practice, this means the HOA’s executive board can institute construction defect litigation affecting the entire community if two or more units are affected by an alleged defect. And CCIOA requires the executive board to do nothing more than give notice to the homeowners of the action, the relief sought, and the anticipated expenses and fees. *See* C.R.S. § 38-33.3-303.5(2)(b). Thus, homeowners that are not on the board have no power to decide if their

home will be involved in a lawsuit, even if they oppose the legal action.

Since 2010, Colorado has not passed any significant reforms to the construction defect laws, despite strong support from the construction industry and others. For example, in 2015, Senate Bill 15-177 failed to pass. This bill would have, among other things, amended CCIOA to require greater disclosure of information concerning construction defect litigation, including the cost, duration, and financial impact, and require a majority of owners to consent in writing before an executive board could initiate a construction defect action. This bill was supported by the construction industry, affordable housing advocates, chambers of commerce, and metro-area mayors, but opponents argued that the “construction defect reform” bill would allow developers to build defective homes. Ultimately, that mischaracterization was successful.

B. CCIOA’s Effect on Housing Market Diversity

CCIOA appears to be contributing to diminished housing market diversity due to developer concerns regarding defect claims. A 2013 independent study commissioned by the Denver Region Council of Governments concluded that, in the Denver Metropolitan Area, developers need to pay an estimated \$15,000 more per condominium unit as compared to an apartment unit due to construction defect claims. *See* Economic & Planning Systems, Inc., Denver Metro Area Housing Diversity Study, at 45 (Oct. 29, 2013). Additionally, insurance premiums “are 25 to 45 percent higher in Colorado than other states for comparable products.” This requires builders to pursue higher margin developments and forgo

construction of entry-level housing. Developers believe “the probability of being sued is nearly 100 percent” for condominium projects. *Id.* Because of this, developers are avoiding condominium projects. Overall, CCIOA is likely leaving Denver, and Colorado, with a shortage of entry-level, for-sale housing for lower income and first-time homebuyers.

C. Redefining Reforms: A Homeowner’s Bill of Rights

These issues illustrate why reform is needed. Local municipalities recognized this, and several passed their own reforms to encourage development of condominiums and affordable housing. Colorado may find guidance in Nevada’s recent legislative efforts to address similar problems. The 2015 Nevada legislation, called the “Homeowner Protections Act,” restricted HOAs to asserting claims only for the common elements of a community. This gives Nevada homeowners greater discretion to decide if they want to assert construction defect claims.

Learning from Nevada and past failures, proponents of these reforms in Colorado should prevent opponents from mischaracterizing this legislation by more accurately describing the bill as a “Homeowner’s Bill of Rights.” The truth behind the legislation is that it informs and empowers individual homeowners in HOAs to decide for themselves whether to

involve their home in a lawsuit. Until Colorado follows Nevada’s lead and allows individual homeowners the choice whether to assert construction defect claims, developers will continue to avoid these types of projects, further diminishing housing diversity and limiting options for lower income and first-time homebuyers.

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Valerie Boyd
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&
Laura Puntillo



The reporting requirements that went into effect January 1, 2015 have led to 200 to 250 new reports each week on top of the roughly 40 reports OSHA already received under continuing rules – 55% of these resulted in rapid response investigations, 38% in on-site inspections. In a rapid response investigation, OSHA contacts and instructs the reporting employer to investigate the root cause of the incident, determine how to prevent similar incidents from happening in the future, and report these findings back in about a week.

If OSHA is dissatisfied with an employer's response, it will proceed to conduct its own inspection. Investigations that are thorough, involve management and employees, continually ask "why?" until the underlying cause is identified, do not place blame, and focus on the most effective solutions are most likely to satisfy OSHA.

OSHA Issues Final Silica Rule

Key provisions:

- Reduces the permissible exposure limit (PEL) for respirable crystalline silica to 50 micrograms per cubic meter of air, averaged over an eight hour shift.
- Requires employers to: use engineering controls (such as water or ventilation) to limit worker exposure to the PEL; provide respirators when engineering controls cannot adequately limit exposure; limit worker access to high exposure areas; develop a written exposure control plan; offer medical exams to highly exposed

workers; and train workers on silica risks and how to limit exposures.

- Provides medical exams to monitor highly exposed workers and gives them information about their lung health.
- Provides flexibility to help employers - especially small businesses - protect workers from silica exposure.

Compliance Schedule

Both standards contained in the final rule take effect on June 23, 2016, after which industries have one to five years to comply with most requirements, based on the following schedule:

- Construction - June 23, 2017, one year after the effective date.
- General Industry and Maritime - June 23, 2018, two years after the effective date.
- Hydraulic Fracturing - June 23, 2018, two years after the effective date for all provisions except engineering controls, which have a compliance date of June 23, 2021.

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Young Professionals



Over 30 people attended the Young Professionals Social atop the patio at Tap Fourteen on July 14th. This was a great opportunity for some fun and a little networking in a casual atmosphere. They enjoyed food, games and cold drinks to temper the heat. If you missed this one, look for another in the future.

2nd Annual Cornhole Cup

Thank you to all the participants and spectators who come to our 2nd Annual Cornhole Cup & Social at Mile High Spirits on Thursday, August 4th.

Congratulations to **Denim Smith** and **Brandon VandeLaar** from **Hensel Phelps** on being the winners of our 2nd annual Cornhole Cup!

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YP Social at Tap Fourteen



Denim Smith and Brandon VandeLaar from Hensel Phelps.

Young Professionals Spotlight

Brendan Banning, Hensel Phelps

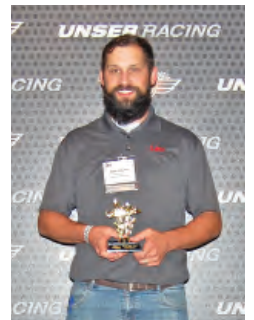


Born and raised in Montana, Brendan graduated from Montana State University with a Bachelor's degree in Construction Engineering Technology. Before starting with Hensel Phelps Construction Co. in 2008, he got his start in the construction industry operating equipment while attending college.

Since joining Hensel Phelps, Brendan has worked throughout multiple states and has worked his way from Field Engineer progressing through multiple positions to Project Engineer. He has encountered many different facets of construction, from tenant finish projects to large commercial projects. Brendan is responsible for control of budgets, managing trade contractors and supplier coordination, understanding the financial goals of the client, and working closely with the project team to ensure a successful project. Brendan has continued to focus on the importance of growing, training and mentoring younger personnel. He enjoys the differing daily conditions the construction industry brings and using different techniques to accomplish the end goals.

Brendan was also the first place winner of our ABC 500 PAC Fundraiser back in August!

Brendan enjoys participating in outdoor sports, hiking with his dogs and international traveling with his beautiful wife Jane Lee Banning. ■



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