



News Release

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Governor Signs Insurable Contracts Law Benefiting All Parties Constructing Projects for Public Entities

DENVER (April 13, 2015) — Leaders from the American Council of Engineering Companies of Colorado (ACEC Colorado) attended Gov. John Hickenlooper's signing of HB15-1197 into law on April 10 at the State Capitol.

The new law takes effect Sept. 1, 2015, and prohibits public entities from asking design professionals to pay upfront costs to defend public entities in lawsuits, unless the design professional is found negligent. Design professionals' professional liability insurance does not cover upfront defense costs; however, these costs may be paid after the design professional is found negligent. The Council was among several industry professional associations that advocated for this policy change.

"The new law is one of the most significant in recent history that affects the design industry and ensures entities that are not cited for negligence have no legal responsibility to defend those who are at fault, said Peter Monroe, P.E., ACEC Colorado president. "Firms that have been signing such uninsurable contracts in the past will be relieved to know that in the future contracts will not have this onerous language. For those that have not been signing such contracts, this opens up new opportunities for them, with new clients to pursue. Having insurable contracts benefits all parties involved in public construction projects, including the public for whom these are constructed, making it a win-win for all.

ACEC Colorado will work with consulting engineering firms and public entities throughout the state to communicate the outcome and implications of this new law, which affects the contractual relationship between them.

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About ACEC Colorado

ACEC Colorado (www.acec-co.org) is the business association of 220 member firms employing more than 10,000 employees in the independent private practice of consulting engineering. The organization is a primary resource for accessing engineering information, expertise and business ethics practices. ACEC Colorado provides leadership and direction by developing practical, feasible options and solutions based upon technical collaboration to achieve enduring outcomes to benefit society.

Editor's Note: Attached for use is a photo (ACECHB15Signing.jpg) of the signing with the suggested caption: "ACEC Colorado leaders and bill sponsors witness signing of HB15-1197 by Gov. Hickenlooper on April 10, at State Capitol." (l to r): Lacey Artist, Artist, Artist & Associates; Rob Refvem, P.E., Felsburg, Holt & Ullevig; Sen. Cheri Jahn; Marilen Reimer, ACEC Colorado; Peter Monroe, P.E., ACEC Colorado president; Lisa Goodbee, P.E., Goodbee & Associates; Gov. John Hickenlooper; Bill Green, P.E., The RMH Group; Heidi Gordon, ACEC Colorado; Rep. Jack Tate; and Bill Artist, Artist & Associates.