The 2020 Colorado Legislative Session began amidst a robust economy on January 8 and was scheduled to adjourn on May 6, but with the outbreak of COVID-19, all schedules were disrupted. After a two-month hiatus, the legislative session resumed on May 26 with precautionary measures in place to limit the number of people who could be in the Capitol at one time. Despite the shortened session of 84 days instead of 120, the legislature still introduced the usual number of 650 bills and adjourned on June 15.

As to be expected, COVID-19 dominated many of the legislative priorities. Although several of the early bills were postponed indefinitely, many new ones were introduced to address the $3.3 billion budget shortfall and to respond to COVID-related issues affecting the business community.

ACEC Colorado was engaged on the following key bills through coalition building, meetings with the legislators and state agencies. As of this writing, we are waiting for the Governor to decide their fate.

- HB20-1360: Long Bill (2020-2021 Budget) passed and signed. The Colorado Constitution mandates a balanced budget be passed by June 30 for the new fiscal year.
- As a result, cuts to K-12 Education, the legislators introduced HB1420: Adjust Tax Expenditures for State Education Fund*. Because the Governor threatened to veto the original bill, the sponsors changed the income reporting threshold dramatically. However, there are other elements of the bill that are of concern concerning loss of benefits from the CARES Act.
- HB20-1376: Modify Transportation Funding Mechanism passed.
- This bill eliminated $50 million General Fund transfers to the Colorado Department of Transportation (CDOT) for two years, and diverted $49 million of funding from the second SB 17-267 issuance for statewide controlled maintenance projects.
- SB20-093: Consumer and Employee Dispute Resolution Fairness was postponed indefinitely and kept arbitration rules in place that are used to settle construction defects' claims.
- SB20-138: Consumer Protection Construction Defect Time Period was killed by the sponsor. If passed, the statute of limitations would have increased from 6 years to 10 years.
- SCR20-001: Repeal Property Tax Assessment Rates. Two-thirds of both chambers agreed to put forth a 2020 ballot question to repeal the 1982 Gallagher amendment in the state constitution. A companion bill, SB20-223, passed and goes into effect if the voters repeal the Gallagher amendment, keeping the existing assessment rates — 29% of a commercial or industrial property’s value and 7.15% of a residential property’s value — in place indefinitely. In 1982, the residential assessed rate was 30% but has continually declined. As a result, there is less money for schools, police, fire, and special districts; rural communities have been the hardest hit.
- SB20-215: Health Insurance Affordability Enterprise will increase fees to insurance providers and hospitals.

COVID-related bills that were pushed and passed in the last days of the session:
- HB20-1414: Price Gouge Amid Disaster Deceptive Trade Practice
- SB20-205: Sick Leave for Employees will impact employers with more than 15 employees who can accrue one hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours.
- HB20-1415: Whistleblower Protection Public Health Emergencies applies if the workplace health and safety practices fail to meet guidelines established by a federal, state, or local public health agency with jurisdiction over the workplace.

Under a challenging and an unprecedented legislative environment, ACEC Colorado’s coalition partners, lobbyists, members, and business community activists worked tirelessly to convince legislators of the need to amend these bills that impact businesses in this era of economic uncertainty. As always, their efforts are greatly appreciated.
During this time of change, whether it is the natural progression from spring to summer, or the seemingly unnatural transition from pre-COVID-19 to post-COVID-19, change is inevitable. We, at ACEC Colorado, recently celebrated the change of leadership from our 2019-20 President, Brad Doyle, PE, to me as the 2020-21 President of ACEC Colorado, during our Annual Meeting on April 24.

As I transition into my new role as president during this pandemic, I find it helpful to focus on our strength as engineers and our role as problem solvers. I recently attended the Engineering Change Lab USA in Houston and was impressed by one of the provocateurs, Guru Madhavan, a PhD in biomedical engineering at the National Academy of Engineering. He talked about three different types of problems that we are faced with: hard problems, soft problems and messy problems.

Hard – Soft – Messy Problems

Madhavan defined “hard” problems as those that have a technical solution with minimal impacts from human behavior. The second type are “soft” problems. These problems have the added complexity of significant human behavior impacts, so a solution is both technical and social. The third type are “messy” problems. These problems have complex interconnections, including major human behavior impacts and cultural and social concerns that are difficult to explain and lack clarity. In addition, they are subject to real-world constraints that prevent multiple and risk-free attempts at resolving.

Messy Problem Dissolvers

Before COVID-19 in my new tenure as president, I might have focused on infrastructure funding, but we are in the middle of a more substantial messy problem – a pandemic. It has devastated so many lives as the competing factors of fear and public health, misinformation and information overload, protection of the weakest members of society and financial collapse, individual freedoms, and common good clash as we try and dissolve this “messy” problem. Only by us, as engineers, stepping up, becoming involved and transitioning from hard problem solvers to system thinkers and collaborators will we be part of the dissolving force.

I believe that the key to thriving in uncertain times and an unknown future is to push the envelope. My goal as president of ACEC Colorado is to advocate for engineers to be messy problem dissolvers, to transform ourselves to embrace technology and to be pioneers.

Help Consulting Engineering Firms Thrive

As we all strive to navigate an uncertain future, ACEC Colorado has rolled out a new strategic plan and mission statement, which is “To advance a business environment that helps consulting engineering firms thrive.” In order to thrive, we are focusing on five goals as part of our three-year strategic plan that aligns with ACEC National’s strategic plan. These goals include:

1. Advocacy – We are the voice to advance, protect and promote public policy and build public and private sector relationships.
2. Professional Connections – We aim to maintain an engaged membership representing diverse sectors of consulting engineers.
3. Firm Success – We strive to provide the resources and opportunities to support firm and career success.
4. Public Value – We demonstrate and communicate the value consulting engineering brings to society.
5. Organizational Excellence – We maintain a vibrant ACEC Colorado membership organization by way of leadership and resources.

For me, over the last 13 years, ACEC Colorado has provided the tools to help in my transformation from an engineer to a business owner. These tools along with the hundreds of people that I have met and learned from along the way have been invaluable. I now look forward to transforming with my fellow engineers from hard problem solvers to messy problem dissolvers, continuing to provide benefit to our companies and our communities, and learning and growing together.
ACEC Colorado Installs 2020-21 Elected Board of Directors

Karlene Thomas, PE (Pinyon Environmental – Colorado Springs, CO) will serve as president and accepted the gavel virtually from Past President Brad Doyle, PE (Atkins – Denver) during the ceremony. Additional board members include Bill Green, PE (The RMH Group – Lakewood, CO) as vice-president; Gary Clark, PE (Muller Engineering – Lakewood, CO) as secretary-treasurer; and Peter Monroe, PE (Monroe & Newell Engineers, Now IMEG – Denver) as the ACEC National director from Colorado.

The Denver metro area directors are:
Dean Bradley, PE (Felsburg Holt & Ullevig – Centennial)
Greg Kishiyama, PE (Farnsworth Group – Greenwood Village)
Jack Petersen, PE (Martin/Martin – Lakewood)
Kara Swanson (David Evans & Associates – Denver)

Scott Asher, PE (Wilson & Company – Colorado Springs, CO) is the south area director; Dan Overton, PE (Engineering Analytics – Fort Collins, CO) will serve as the north area director; and John Sikora, PE (AECOM – Glenwood Springs, CO) is the west area director.

During her incoming president’s speech at the annual meeting, Thomas delivered the following message, “I believe that the key to thriving in uncertain times and an unknown future is to push the envelope. My goal as president of ACEC Colorado is to advocate for engineers to be messy problem solvers, to transform ourselves to embrace technology and to be pioneers.”

In addition to this advocacy for change, Thomas also focused on ACEC Colorado’s new mission statement, “To advance a business environment that helps consulting engineering firms thrive,” and highlights from its forthcoming strategic plan, scheduled for release in July.

RK Expands Leadership with Dynamic Additions

RK, a leader in the construction, manufacturing and service industries, has added two new key employees to their Denver office.

Marc Nikoden, Vice President of Operations for RK Mechanical, joined RK in March of this year. He was previously the president of Hess Mechanical in the Washington DC metro area. Marc came to us with 25 years of experience in the mechanical industry, the first 16 years of which he served as an engineering officer for the U.S. Navy. Marc graduated from Fort Hays State University in Kansas with a Bachelor of Science (BS) degree. He later went on to the University of Pittsburgh in Pennsylvania to earn his Master of Public Policy (MPPM) degree. In addition, Marc also became a Kellogg Executive Scholar and received a certificate in leadership management from the Kellogg School of Management at Northwestern University in Illinois.

Lisa Ponder, Vice President of Human Resources, joined RK in February of this year. She has over 25 years of experience in supporting the construction industry as an employment attorney, HR Consultant and HR executive. She developed high performing HR teams for a family-owned specialty contractor based in Vail, an EPC water/wastewater company headquartered in Broomfield, and an international industrial plant contractor with its North American headquarters in Greenwood Village. She also owned and operated an HR/Legal Consulting firm for nine years. Lisa started her career as an employment litigation attorney in California.