

# AMERICAN SOCIETY OF PROFESSIONAL ESTIMATORS

MEMBER REFERENCE DOCUMENT

2014-2015



TM

## Annual Guide



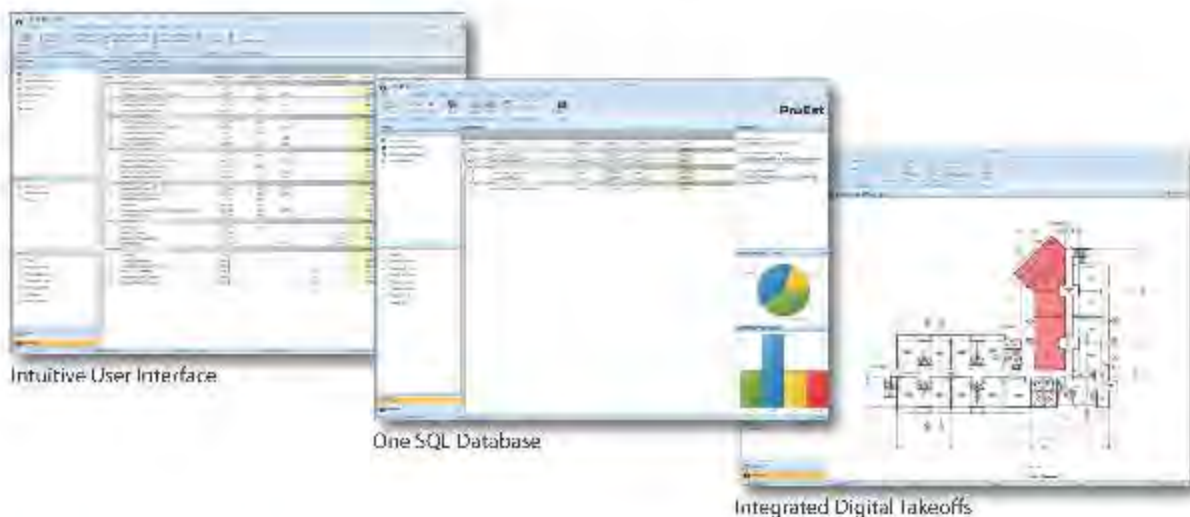


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## 2015 Annual Guide

### Mission Statement

The American Society of Professional Estimators serves Construction Estimators by providing Education, Fellowship & Opportunity for Professional Development.

### Motto

“Dedicated to the promotion of the profession of estimating and to the benefit of the construction industry.”

### ONLINE Directory

<https://secure.aspenational.org>

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# Society History

National President	Year	Meeting Site
Ernest D. Lavoie	1969-1971	N/A
Michael G. Segina, CPE	1972-1973	N/A
Richard M. Green, FCPE	1974	N/A
Richard M. Green, FCPE	1975	Denver, CO
Frank C. Seiler, CPE*	1976	Scottsdale, AZ
Steve A. Bingman, FCPE	1977	Los Angeles, CA
Edward J. Tyler, CPE	1978	N/A
Edward J. Tyler, CPE	1979	Houston, TX
Fred Freshley, CPE	1980	San Diego, CA
Fred Freshley, CPE	1981	St. Louis, MO
Robert H. Pratt, FCPE	1982	Atlantic City, NJ
Robert H. Pratt, FCPE	1983	Kansas City, MO
William H. Spradlin, FCPE	1984	New Orleans, LA
William H. Spradlin, FCPE	1985	Reno, NV
Don L. Short, II, FCPE*	1986	Nashville, TN
Don L. Short, II, FCPE*	1987	Albuquerque, NM
Herman F. Henderson, FCPE*	1988	Hartford, CT
Michael B. Carringer, FCPE	1989	St. Paul, MN
Michael B. Carringer, FCPE	1990	Tucson, AZ
Merle W. Heckenlively, FCPE*	1991	Sarasota, FL
Merle W. Heckenlively, FCPE*	1992	El Paso, TX
Huey P. Breaux, FCPE*	1993	Valley Forge, PA
Donald C. Greenland, III, FCPE	1994	Indianapolis, IN
Donald C. Greenland, III, FCPE	1995	San Diego, CA
Frank E. Young, FCPE	1996	Orlando, FL
Frank E. Young, FCPE	1997	Colorado Springs, CO
Lewis M. Finkel, FCPE	1998	Boston, MA
Lewis M. Finkel, FCPE	1999	Cleveland, OH
Lewis M. Finkel, FCPE	2000	Seattle, WA
Joseph P. Majewski, FCPE*	2001	Atlanta, GA
Joseph P. Majewski, FCPE*	2002	Denver, CO
Larry L. Cockrum, FCPE	2003	Portland, ME
Larry L. Cockrum, FCPE	2004	Chicago, IL
Robert R. George, CPE	2005	Key Biscayne, FL
Robert R. George, CPE	2006	Los Angeles, CA
John B. Stewart, FCPE	2007	Park City, UT
John B. Stewart, FCPE	2008	Baltimore, MD
Paulette R. Rutlen, CPE	2009	St. Louis, MO
Paulette R. Rutlen, CPE	2010	Grapevine, TX
B. Keith Jones, CPE	2011	Nashville, TN
B. Keith Jones, CPE	2012	Reno, NV
Joseph A. Flemming, CPE	2013	Philadelphia, PA
Joseph A. Flemming, CPE	2014	Indianapolis, IN
Doyle T. Phillips, FCPE	2015	San Diego, CA

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Marvin H. Hendler, FCPE* . . . . . 1983
George R. Jackson, FCPE . . . . . 1984
Steve A. Bingman, FCPE . . . . . 1986
Albert R. Vallin, FCPE* . . . . . 1988
William H. Spradlin, FCPE* . . . . . 1989
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Robert S. Wood, FCPE* . . . . . 1989
Marie L. Osowski, FCPE . . . . . 1989
Kenneth F. Marr, Sr., FCPE* . . . . . 1990
Richard M. Green, FCPE . . . . . 1990
Herman F. Henderson, FCPE* . . . . . 1991
Robert H. Pratt, FCPE . . . . . 1991
George C. Canham, FCPE* . . . . . 1992
Catherine A. Taylor Yank, FCPE . . . . . 1994
Michael B. Carringer, FCPE . . . . . 1996
Ralph R. Spengeman, FCPE . . . . . 1997
Ricardo A. Baca, FCPE . . . . . 1997
Merle W. Heckenlively, FCPE* . . . . . 1998
Fred L. Waldrop, FCPE . . . . . 1999
Donald C. Greenland III, FCPE . . . . . 1999
Lewis M. Finkel, FCPE . . . . . 2001
E. Jack Stemm, FCPE . . . . . 2003
Joseph P. Majewski, FCPE* . . . . . 2003
Terrance P. McGeenhan, FCPE . . . . . 2004
Frank E. Young, FCPE . . . . . 2005
Frank A. Kutilek Jr., FCPE . . . . . 2005
Huey P. Breaux, FCPE* . . . . . 2006
No Submittals . . . . . 2007
Larry L. Cockrum, FCPE . . . . . 2008
John B. Stewart, FCPE . . . . . 2009
Charles A. Munroe, FCPE . . . . . 2010
No Submittals . . . . . 2011
Earl T. Rosenow, FCPE . . . . . 2012
No Submittals . . . . . 2013
Doyle T. Phillips, FCPE . . . . . 2014

## Honorary Members

Marvin H. Hendler, FCPE* . . . . . 1984
Francis J. Pelland, Esq. . . . . 1984
Deborah D. Giaccone . . . . . 1993
Dr. James J. Adrian . . . . . 1996
Christine Todd Whitman . . . . . 1999
Paul Stuart . . . . . 1999
Elaine Fulton, PRP . . . . . 2008

## Estimator of the Year Award Recipients

Michael G. Segina, CPE . . . . . 1974
Richard M. Green, FCPE . . . . . 1975
Frank C. Seiler, CPE* . . . . . 1976
Steve A. Bingman, FCPE . . . . . 1977
Raymond C. Alcaraz, CPE . . . . . 1978
Kenneth F. Marr, Sr., FCPE* . . . . . 1979
Charles L. Aden, CPE . . . . . 1980
Edward J. Tyler, CPE . . . . . 1981
John W. Porter, CPE . . . . . 1982
Ricardo A. Baca, FCPE . . . . . 1983-1984
Robert S. Wood, FCPE* . . . . . 1984-1985
Marie L. Osowski, FCPE . . . . . 1985-1986
Frank E. Young, FCPE . . . . . 1987-1988
William H. Spradlin, FCPE . . . . . 1988-1989
Robert H. Pratt, FCPE . . . . . 1989-1990
Fred Freshley, CPE . . . . . 1990-1991
Don L. Short, II, FCPE* . . . . . 1991-1992
Ralph R. Spengeman, FCPE . . . . . 1992-1993
Catherine A. Taylor Yank, FCPE . . . . . 1993-1994
Joseph P. Majewski, FCPE* . . . . . 1994-1995
Michael B. Carringer, FCPE . . . . . 1995-1996
Ronald L. York, CPE . . . . . 1996-1997
Terrence P. McGeenhan, FCPE . . . . . 1997-1998
E. Jack Stemm, FCPE . . . . . 1998-1999
Fred L. Waldrop, FCPE . . . . . 1999-2000
Lewis M. Finkel, FCPE . . . . . 2001-2002
Paul S. Neuharth, CPE . . . . . 2002-2003
John B. Stewart, FCPE . . . . . 2003-2004
Frank A. Kutilek Jr., FCPE . . . . . 2004-2005
No Submittals . . . . . 2005-2006
Larry Hendrick, CPE . . . . . 2006-2007
No Submittals . . . . . 2007-2008
Ron P. Svarc, CPE . . . . . 2008-2009
Chris Morton, CPE . . . . . 2009-2010
Earl T. Rosenow, CPE . . . . . 2010-2011
Doyle T. Phillips, FCPE . . . . . 2011-2012
Robert A. Nidzgorski, CPE . . . . . 2012-2013
Daniel G. Frondorf, CPE . . . . . 2013-2014

## Founding Members

- Bill Belcher\*
- Charles Hays\*
- Frank Lichtenstein\*
- Joe Maise\*
- Jim Priest\*

\* Deceased





Doyle T. Phillips, FCPE  
ASPE National President  
2014-2015

# Welcome

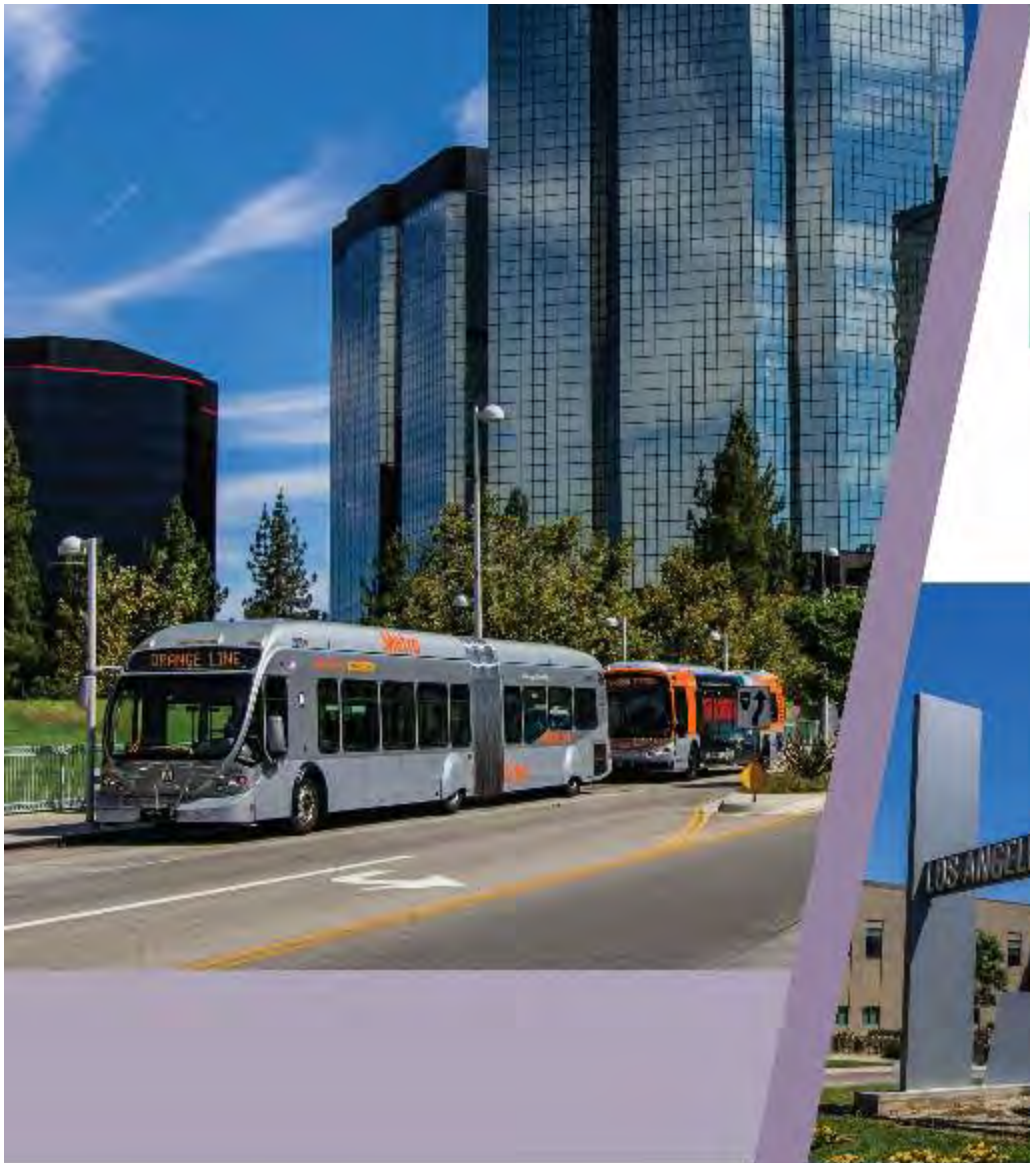
Each year our compact Annual Guide gets better. I hope you find its convenience a useful easy reference for finding helpful information. It provides a quick glance at Society Bylaws, Standard Chapter Bylaws, contact information for our Board members and staff, and listings of our committees. The best part, however,

is the directory of estimating related professionals and companies that are right at your fingertips. These representatives of our trade believe in ASPE and I would encourage you to take advantage of the resources they can provide.

A lot of effort goes into this guide each year. Next time you see Patsy, Tanya, or Tina give our wonderful staff a huge “Thank You!” They deserve your gratitude for the hard work they put into this publication and others that our membership enjoy year round. Of course without the advertisers the publication would not exist. Therefore, reach out to those advertisers as often as you can. Whatever your need, there is someone in our guide that can meet that need and assist you in moving your project forward.

I encourage you to use this tool to learn more about your organization. Look for opportunities to serve as you review the committees. We are always looking for people interested in getting involved. Stay plugged into the other resources available to the membership and share with others. Look for some exciting changes coming during the year. I am tagging this year as the year of “Getting Things Done”! I hope you will join our organization in making this the best year yet. This Annual Guide is your starting reference point for making that happen. I encourage you to reach out and connect with someone.

Doyle T. Phillips, FCPE



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Roadrunner  
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jflemming@bradburystamm.com

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**General Counsel** JASON ISAACSON, Evans Law Firm, Chattanooga, TN



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Southwest	Tom Norton, CPE
Central Plains	TDB
Southeast	Brad Aiken, CPE
Northeast	Mark Pitts, CPE

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Southwest	Tom Mayer
Central Plains	TBD
Southeast	Todd Piepergerdes, CPE
Northeast	TBD

### Standards Committee

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Southwest	Ron Svarc, CPE
Central Plains	Bryan Mixer, CPE
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Northeast	Ron Trawinski, CPE

## Special Committees



### Fellows

Northwest	Bob Pratt, FCPE
Southwest	John Stewart, FCPE Frank Young, FCPE
Central Plains	NA
Southeast	NA
Northeast	Terry McGeehan, FCPE <b>Lewis Finkel, FCPE -Chair</b> <b>203.968.0413</b> <b>lewis@proconstserv.com</b>

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Southwest	TDB
Central Plains	TDB
Southeast	Jean-Prieur(J-P) Du Plessis, CPE
Northeast	Bill Manfredonia, CPE

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Southwest - CHAIR	<b>Joe Flemming, CPE</b> <b>505.998.9972</b> <b>jfflemming@bradburystamm.com</b>
Central Plains	Matthew Burress, CPE
Southeast	B. Keith Jones, CPE
Northeast	John Stewart, FCPE
Education Committee	TDB



# Standing Committees



Awards	
Northwest	Hester Troutman, CPE
Southwest - CHAIR	<b>David Battle, CPE</b> <b>405.722.5800 ext. 2</b> <a href="mailto:dbattle@preconstructionservices.com">dbattle@preconstructionservices.com</a>
Central Plains	Phil Tournier, CPE
Southeast	Ronnie Andrews, CPE
Northeast	William Bury, CPE

Bylaws	
Northwest	Tim Boyle
Southwest	Rick Martin, CPE
Central Plains - CHAIR	<b>Deanne Goodlaxson, CPE</b> <b>608.838.2985</b> <a href="mailto:dgoodlaxson@casgroupinc.com">dgoodlaxson@casgroupinc.com</a>
Southeast	Mike Davis, CPE
Northeast	Donald Logan, CPE

Chapter Development	
Northwest	Tom Cole
Southwest	TJ Schwertferger, CPE
Central Plains	Mel Cowen, CPE
Southeast	Chuck Hesselbein, CPE
Northeast	Jim Hanna, CPE

Finance	
Treasurer - CHAIR	<b>Chris Morton, CPE</b> <b>303.696.5812</b> <a href="mailto:cmortoncpe@comcast.net">cmortoncpe@comcast.net</a>
President	Doyle T. Phillips, FCPE
First Vice President	Marcene N. Taylor, CPE
Second Vice President	Bruce A. Schlesier, CPE
Third Vice President	Mike A. Alsgaard, CPE

Human Resources	
Immediate Past President	Joseph A. Flemming, CPE
Fellows	Robert H. Pratt, FCPE
Staff Advocate	R. Craig Provine, CPE
	<i>Committee elects chair.</i>

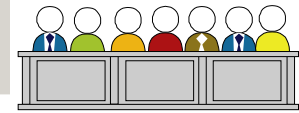
Industry Awareness	
Northwest	Samuel R. Cremades, CPE
Southwest - CHAIR	<b>Brian Wright, CPE</b> <b>480.766.8118</b> <a href="mailto:bwrightaz@cox.net">bwrightaz@cox.net</a>
Central Plains	Michael Collins, CPE
Southeast	Reed Thomas, CPE
Northeast	Seppo Markkanen, CPE

Investigative	
Northwest	Paul Waszink, CPE
Southwest	Pete Zoller, CPE
Central Plains	Joe Graney, CPE
Southeast	Robert Kovacs, CPE
Northeast	Terry McGeehan, FCPE
	<i>Committee elects chair.</i>

# Standing Committees



# Organizational Chart

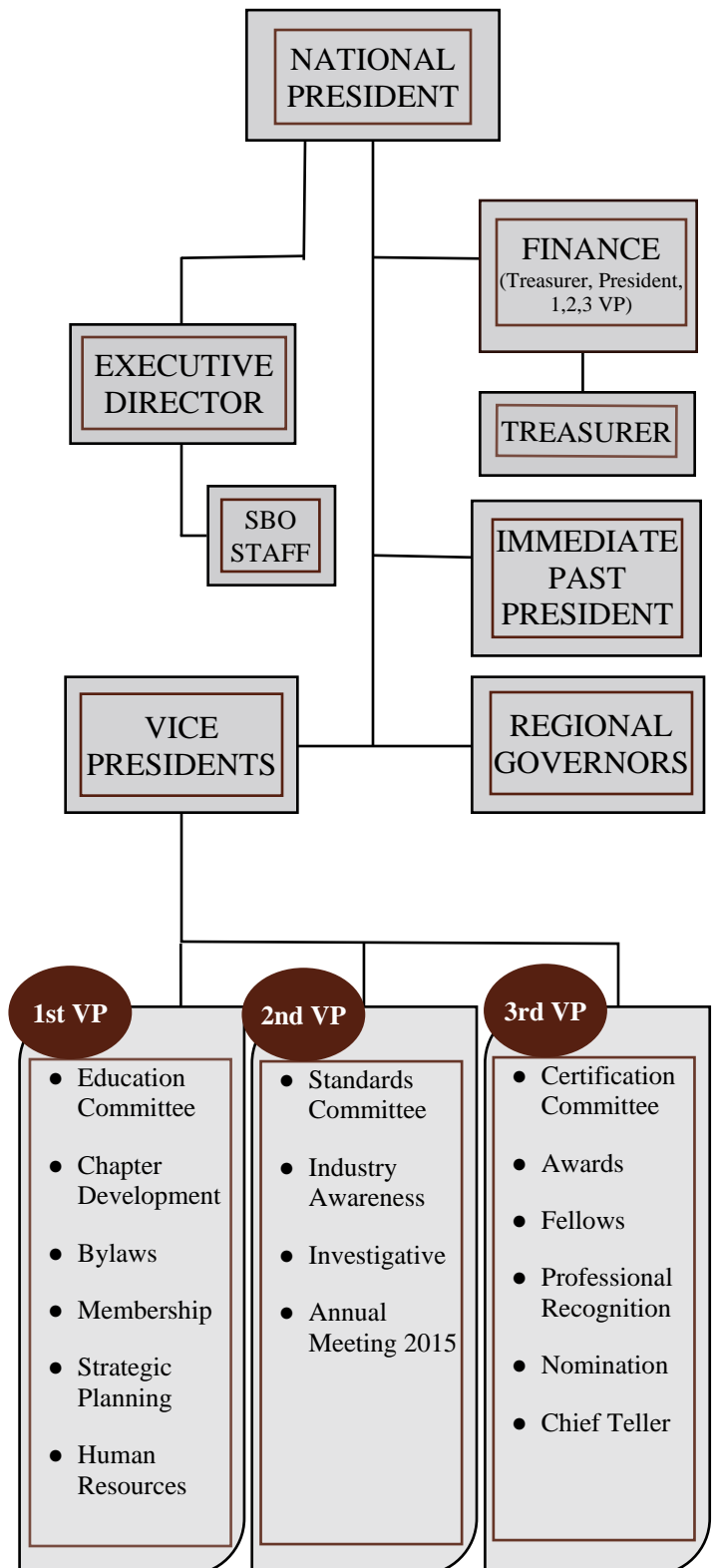


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Membership	
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Southwest	Carri Morones, CPE
Central Plains	Chris Ahrenholtz, CPE
Southeast - CHAIR	<b>Jenny Sanchez</b> <b>727.461.5522 ext. 129</b> <a href="mailto:jsanchez@creativecontractors.com">jsanchez@creativecontractors.com</a>
Northeast	Greg Williamson, CPE

Nominations	
Northwest	Wallace Brassfield, CPE
Southwest	Ray Baker, CPE
Central Plains	Jeremy Adkins, CPE
Southeast	Thom Thibodeau
Northeast	Rob Wurz, CPE
	<i>Committee elects chair.</i>

Strategic Planning	
Northwest - CHAIR	<b>Marcene N. Taylor, CPE</b> <b>510.735.6768</b> <a href="mailto:mtaylor@mticost.com">mtaylor@mticost.com</a>
All Board of Trustees Members Serve.	







The Society Business Office provides service and support to members and customers of the ASPE. Contact us for information about ASPE.



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To access the On-Line Database:

**<https://secure.aspenational.org>**



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**ASPE SOCIETY BUSINESS OFFICE  
2525 PERIMETER PLACE DRIVE, STE. 103  
NASHVILLE, TN 37214**



**Patsy M. Smith**  
**Executive Director**

- Society Management
- Human Resources
- Membership
- Annual Meeting Planning
- Accounting
- Chapter Development
- Website
- Advertising
- Marketing
- Trade shows
- Education
- Publications

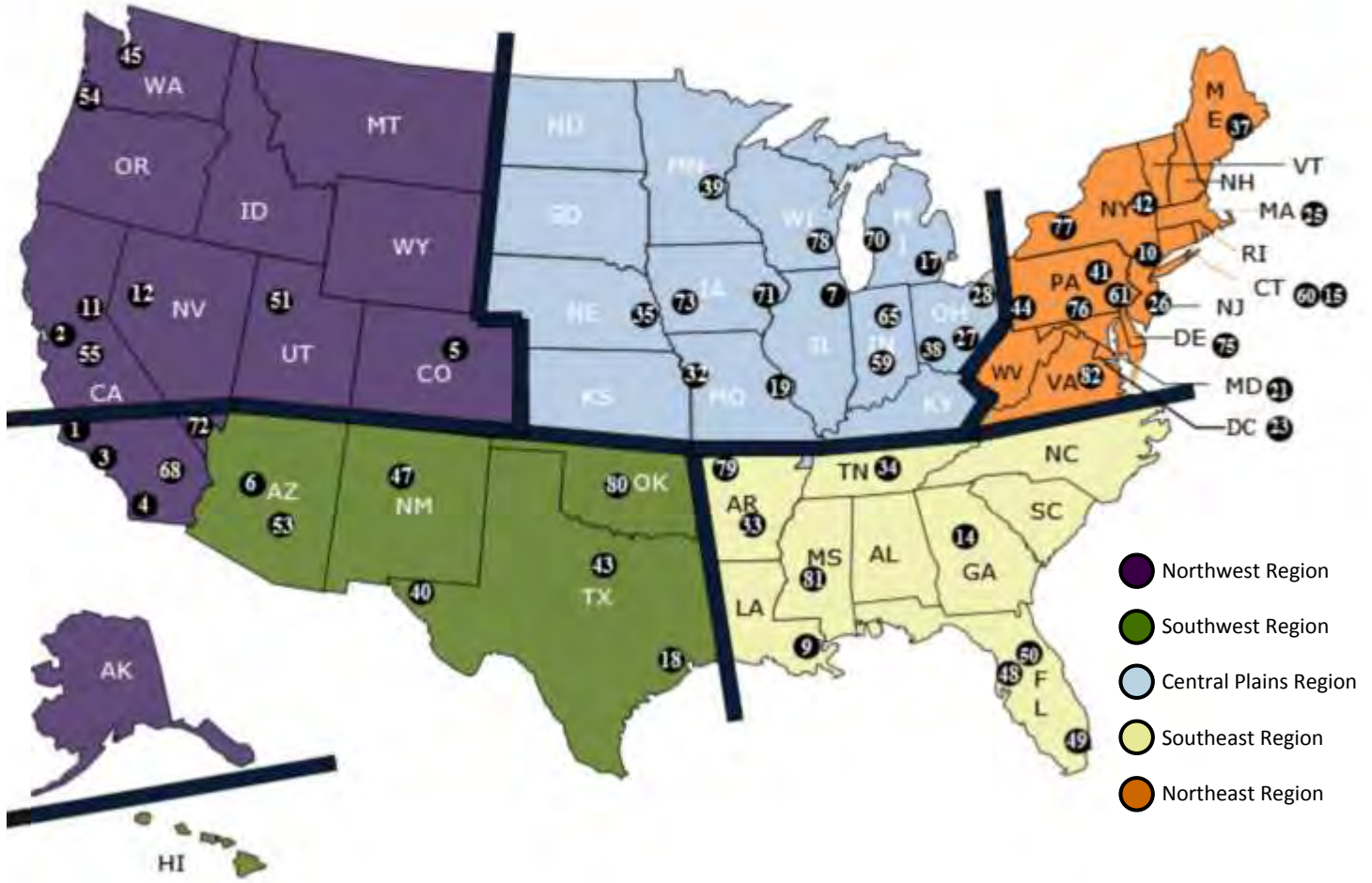
.....  
**Tanya Graham**

- Certification Administration
- Accreditation
- CPE Testing
- Graphic Design

.....  
**Tina Cooke**

- Bookkeeping
- Membership
- Online Classes
- Website Management

## ASPE Chapter Locator Map



### Chapters

- 1 Los Angeles
- 2 Golden Gate
- 3 Orange County
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- 39 Viking
- 40 Rio Grande
- 41 Greater Lehigh Valley
- 42 Empire State
- 43 Dallas/Ft. Worth
- 44 Three Rivers
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- 47 Roadrunner

- 48 Tampa Bay
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- 53 Old Pueblo
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- 78 Brew City
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### Governor Regions

Members-At-Large

- 90 Northwest Region
- 91 Southwest Region
- 92 Central Plains Region
- 93 Southeast Region
- 94 Northeast Region



# 2014-2015 Chapter Presidents

## Los Angeles #1

Info not available at time of publishing.

## Golden Gate #2

Gustav Alexander Choto  
Webcor Builders  
(415) 978-1000  
[gchoto@ccsf.edu](mailto:gchoto@ccsf.edu)

## Orange County #3

Info not available at time of publishing.

## San Diego #4

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Best Interiors Inc.  
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## Denver #5

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## Arizona #6

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## Atlanta #14

Charles Dennis Carroll, CPE  
Madsen, Kneppers & Assoc.  
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[ccarroll@mkainc.com](mailto:ccarroll@mkainc.com)

## Yankee #15

William Jacabacci, CPE  
Jacabacci Construction  
Associates, Inc.  
(203) 929-7000  
[jacabacci@gmail.com](mailto:jacabacci@gmail.com)

## Detroit #17

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George W. Auch Company  
(248) 334-2000  
[glenn.frank@ymail.com](mailto:glenn.frank@ymail.com)

## Houston #18

Info not available at time of publishing.

## Membership Classifications

Certified Professional Estimator	CPE
Estimator	E
Associate Member	ASM
Constructor	C
Student	S
Affiliate Member	AF
Member Emeritus	ME
Honorary Member	HM
Fellow	FCPE
Sustaining Member	SM
Dual Member	DM

## St. Louis Metro #19

Jerome Dorhauer, Sr.  
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## Baltimore #21

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## Greater D.C. #23

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## Boston #25

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## Garden State #26

Info not available at time of publishing.

## Buckeye #27

Info not available at time of publishing.

## Northeast #28

Info not available at time of publishing.

## Heartland #32

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## Arkansas #33

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Be sure to visit the  
**ASPE Website,**  
**[www.aspenational.org](http://www.aspenational.org)**  
for  
**Chapter Resources**  
and Access to  
**“Members Only.”**



# IMPORTANT DATES\*

It's Your ASPE.  
Be Involved.



\*Dates are Subject to Change  
Please check the online  
Critical Calendar at  
[www.aspenational.org](http://www.aspenational.org)

## 2014-2015 Calendar

### 2014 - August

- 1st •ASPE Fiscal Year Begins.  
•Chapter Officers take office.
- 31st •Memberships Expire if not Renewed.

### 2014 - September

- 1st •Deadline for October ET articles
- 26th & 27th •Education Committee Meeting at SBO.
- 30th •Last day to complete Certification Workshop for Summer Cycle Candidates

### 2014 - October

- 1st •Deadline for Nov. ET articles
- 10th & 11th •Central Plains Fall Regional Meeting - Cincinnati, OH
- 17th & 18th •Board of Trustees Meeting at SBO.

### 2014 - November

- 1st •Deadline for Dec. ET articles
- 7th & 8th •Northwest/Southwest Joint Regional Meeting, Phoenix, AZ
- 1st-30th •CPE Testing/Re-Testing Month

### 2014 - December

- 1st •Deadline for Jan. ET articles
- 15th •Last Day to Submit Proposed Amendments to Bylaws Committee.
- Technical Papers are Due for Summer Cycle Candidates.

### 2015 - January

- 5th •Deadline for Feb. ET articles
- 10th •Last Day to Submit CPE Application for Winter Cycle
- 16th & 17th •Certification Committee Meeting at SBO.
- 30th & 31st •Standards Committee Meeting at SBO.

### 2015 - February

- 1st •Last Day for nominations of Candidates for Board of Trustees To SBO and Nomination Committee Chairman.
- 2nd •Deadline for Mar. ET articles
- 26th & 27th •Northeast/Southeast Joint Regional Spring Conference - Tampa, FL

### 2015 - March

- 1st •Last day for SBO to confirm qualifications of candidates for election to the Board of Trustees.
- SBO to determine the voting Body for the election of Board of Trustees.
- 2nd •Deadline for April ET articles
- 15th •Last day to issue ballots to eligible voters.
- 20th & 21st •Board of Trustees Meeting at SBO.
- 30th •Last day to complete Certification Workshop for Winter Cycle Candidates.

### 2015 - April

- 1st •Deadline for May ET articles.
- 1st - 30th •Election of Chapter Officers must be held during the month.
- 15th •Last day to vote in the Board of Trustees Election.
- Last day to notify SBO of any changes to Chapter Dues.
- Nominations for Estimator of the Year, Fellow, and Honorary Member due to SBO.
- 1st-30th •CPE Testing/Re-Testing Month

### 2015 - May

- 1st •Chapter Delegate(s) for Annual Meeting and Estimators Summit to be named and submitted to SBO.
- Deadline for June ET articles
- SBO begins invoicing for 2015-2016 Membership Dues Renewals.
- Last day to announce Board of Trustees election results.
- Nominations for Chapter President of the Year due to SBO.
- 15th •Last day for Proposed Bylaw Amendments to be sent to Chapter Presidents.

### 2015 - June

- 1st •Delegate voting strength of each Chapter determined by the SBO for the Annual Meeting and Estimators Summit.
- Deadline for July ET articles.
- 15th •Technical Papers are Due for Winter Cycle Candidates.
- 15th - 30th •Final Dues Renewal Notice to be sent to members by the SBO.

### Annual Meeting and Estimators Summit - San Diego, CA

- 27th 2015-2016 Board of Trustees take office.

### 2015 - July

- 1st •Deadline for Aug/Sept ET articles.
- 10th •Last day to submit CPE Application for Summer Cycle
- 31st •Fiscal Year End - Renewal Dues due to SBO.
- CPE Expiration Date(s). Check your certificate expiration date for compliance.
- 1st - 30th •CPE Testing/Re-Testing Month

Huey P. Breaux, FCPE

Chapter 9

New Orleans

Member Since

06/01/1976

Charles Frost

Chapter 49

Gold Coast

Member Since

06/01/1996

James F. Shoemaker

Chapter 34

Middle Tennessee

Member Since

04/01/2003

Arnie Weitzman, CPE

Chapter 10

New York

Member Since

04/01/1995



*In Loving Memory*



# AMERICAN SOCIETY OF PROFESSIONAL ESTIMATORS

## Code of Ethics

### INTRODUCTION

Ethical principles are presented which are intended as a broad guideline for professional estimators and estimators in training. The philosophical foundation upon which the rules of conduct are based is not intended to impede independent thinking processes, but is a foundation upon which professional opinions may be based in theory and in practice.

Please recognize that membership in and certification by the American Society of Professional Estimators are not the sole claims to professional competence but support the canons of this code.

The distinguishing mark of a truly professional estimator is acceptance of the responsibility for the trust of client, employer and the public. Professionals with integrity have therefore deemed it essential to promulgate codes of ethics and to establish means of insuring their compliance.

### PREAMBLE

The objective of the American Society of Professional Estimators is to promote the development and application of education, professional judgment and skills within the industry we serve. Estimators must perform under the highest principles of ethical conduct as it relates to the protection of the public, clients, employers and others in this industry and in related professions.

The professional estimator must fully utilize education, years of experience, acquired skills and professional ethics in the preparation of a fully detailed and accurate estimate for work in a specific discipline. This is paramount to the development of credibility by estimators in our professional service.

Estimating is a highly technical and learned profession and the members of this society should understand their work is of vital importance to the clients and to the employers they serve. Accordingly, the service provided by the estimator should exhibit honesty, fairness, trust, impartiality and equity to all parties involved.

## CANONS

### Canon #1

*Professional estimators and those in training shall perform services in areas of their discipline and competence.*

1. Estimators shall to the best of their ability represent truthfully and clearly to a prospective client or employer their qualifications and capabilities to perform services.
2. The estimator shall undertake to perform estimating assignments only when qualified by education or years of experience in the technical field involved in any given assignment.
3. The estimator may accept assignments in other disciplines based on education or years of experience as long as qualified associate, consultant or employer attests to the accuracy of their work in that assignment.
4. An estimator may be subjected to external pressures to perform work above or beyond qualifying education and experience. Estimators must retain their integrity and professionalism by actively avoiding involvement in situations that may lead to loss of independence and integrity as a professional estimator.

### Canon #2

*Professional estimators and those in training shall continue to expand their professional capabilities through continuing education programs to better enable them to serve clients, employers and the industry.*

1. A member of the American Society of Professional Estimators will strive to gain the honored position of "Certified Professional Estimator" and encourage others to obtain this honored position.
2. Members will lend personal and financial support, where feasible, to the schools and institutions engaged in the education and training of estimators.

3. Members will cooperate in extending the effectiveness of the profession by interchanging information and experience with other estimators and those in training to be estimators, subject to legal or proprietary restraints.
4. Members will endeavor to provide opportunity for the professional development and the advancement of estimators and those in training under their personal supervision.

### Canon #3

*Professional estimators and those in training shall conduct themselves in a manner that will promote cooperation and good relations among members of our profession and those directly related to our profession.*

1. Treat all professional associates with integrity, fairness, tolerance and respect, regardless of national origin, race, sexual orientation, religion, gender or age.
2. Extend fraternal consideration when giving testimony that may be damaging to a member of our society, as long as it does not violate this Code of Ethics and the laws governing the proceedings.
3. Accept the obligation to assist associates in complying with the code of professional ethics. The professional character of our society is dependent upon continuing mutual cooperation with one another. It is an essential element of our continued success.
4. Recognize the ethical standards set by other professionals, such as architects and engineers, directly related to our industry and extend to them the common courtesies they deserve.
5. Act honorably, both in personal and professional life, by avoiding situations that may erode public respect.

#### Canon #4

*Professional estimators and those in training shall safeguard and keep in confidence all knowledge of the business affairs and technical procedures of an employer or client.*

1. Privileged information or facts pertaining to methods used in estimating procedures prescribed by an employer, except as authorized or required by laws, shall not be revealed.
2. Treat in strict confidence all information concerning a client's affairs acquired during the fulfillment of an engagement and completion of an estimating procedure.
3. Serve clients and employers with professional concern for their best interests, provided this obligation does not endanger personal integrity or independence.

#### Canon #5

*Professional estimators and those in training 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.*

1. By not participating in bid shopping. Bid shopping occurs when a contractor contacts several subcontractors of the same discipline in an effort to reduce the previously quoted prices. This practice is unethical, unfair and is in direct violation of this Code of Ethics.
2. By not accepting quotations from unqualified companies or suppliers. Every effort should be made to pre-qualify any bidder to be used.
3. By not divulging quotes from subcontractors and suppliers to competitors prior to bid time in efforts to drive down the prices of either. Should quotes be received from subcontractors or suppliers that are excessively low or appear to be in error, the firm should be asked to review its' price. When making this request the quotes of others shall not be divulged.
4. By not padding or inflating quoted bid prices. An unethical practice for professional estimator is to pad or inflate quotes when bidding with firms known for bid shopping. If not a violation of applicable laws, a professional estimator should not provide quotes to known bid shoppers. However, it is not unethical to submit quotes with different values to different contractors, provided there are sound business reasons to justify the differences in the quotes.
5. Professional estimators shall not enter into the unethical practice of complimentary bids (also known as comp bids). Complimentary bidding is a violation of this Code of Ethics.

#### Canon #6

*Professional estimators and those in training 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.*

1. To formulate an accurate estimate in any discipline, a full review must be made of all related documents. Any other approach could cause errors or omissions that may endanger professional integrity and reliability.
2. It is of paramount importance to a professional estimator to minimize the possibility of making mistakes or errors. The more detailed the estimate, the better the accuracy will be.
3. Each estimate should be cross checked by means that will insure that it is technically and mechanically free from mistakes, oversight or errors. If possible and feasible, estimates should be checked by other professionals. If it is not feasible for someone else to cross check an estimate, the estimator should cross check their own estimate by utilizing a different method, such as using historical data or unit prices based on previous cost data on similar project.

#### Canon #7

*Professional estimators and those in training 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.*

1. Bid peddling occurs when a subcontractor approaches a general contractor with the intent of voluntarily lowering the original price below the price level established on bid day. This action implies that the subcontractor's original price was either padded or incorrect. This practice undermines the credibility of the professional estimator and is not acceptable.
2. The same procedure applies to a professional estimator engaged as a general contractor, as defined in the previous paragraph, when the estimator approaches an owner or client to voluntarily lower the original bid price.
3. When a proposal is presented, the professional estimator is stating the estimate has been prepared to the best of their ability using their education, expertise and recognized society standards. Entering into unethical practices such as "bid peddling" jeopardizes both personal and society professional credibility, while violating the trust of the clients.
4. This canon does not consider the practice of the solicitation of a "best and final offer" to be unethical. Where permissible by law

and authorized by the procurement authority, an estimator may request a best and final offer from his subcontractors and suppliers, but must keep the value of the original quotations strictly confidential.

#### 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 express purpose of defrauding clients. Acts of this type are in direct violation of the code of ethics of the American Society of Professional Estimators.*

1. Bid rigging, collusion and conspiracy, as defined by the American Society of Professional Estimators, may occur between two (2) or more parties. Agreements reached by companies or individuals in the act of conspiring to set the price of a particular project or scope of work with the express purpose of circumventing the competitive bid process are illegal and a violation of this Code of Ethics.
2. Professional estimators and those in training to be estimators shall not be associated with firms which are known to participate in the practice of bid rigging.
3. There are no conditions that will allow a professional estimator to enter into such fraudulent acts such as bid rigging, knowing that they are held to be unlawful, immoral, unethical and unacceptable to this society.

#### Canon #9

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

1. Professional estimators and those in training should not offer cash, securities, intangible property rights or any personal items in order to influence or that give the appearance of influencing the judgment or conduct of others that would place them in the position of violating any laws or leave them with the feeling of obligation or indebtedness.
2. Professional estimators and those in training should not accept gifts, gratuities or entertainment that would place them in a position of violating laws (municipal, state or federal) or that give the appearance of creating an inducement which would affect the estimator's professional credibility by placing them in a position of obligation or indebtedness.

*Revision May, 2011*

# Society Bylaws

Amended July 2014

## ARTICLE I -- GOVERNMENT

The name of this organization shall be the AMERICAN SOCIETY OF PROFESSIONAL ESTIMATORS consisting of the membership as defined in Article III of these Bylaws, herein after referred to as the Society, and is a non-profit educational Society organized under the laws of the state of California.

## ARTICLE II -- OBJECT

The object of this Society shall be:

- To further the recognition of construction estimating as a professional field of endeavor;
- To promote education and contribute to the betterment of the construction industry;
- To observe and promote ethical standards of conduct;
- To establish and publish standard construction estimating practices;
- To administer a certification program by which professionalism in construction estimating and adherence to these standards is recognized.

## ARTICLE III -- MEMBERS

The Society shall consist of individual memberships and shall be open to persons regardless of national origin, race, creed, sex, or age.

### SECTION 1 CLASSIFICATION

The Society shall establish the following membership classifications and members shall have all the rights and privileges of the Society except as otherwise specified in these bylaws.

A. **Estimator** - shall have at least five (5) years experience as an Estimator in one or more of the construction estimating disciplines. An Estimator member shall have the designation E.

B. **Constructor** - shall be an active construction professional experienced in one or more of the construction disciplines with at least five (5) years experience. A Constructor member shall have the designation C.

C. **Associate Member** - shall be a member with less than five (5) years experience as an Estimator or active construction professional in one or more of the construction estimating disciplines. An Associate Member shall have the designation ASM. When the required five (5) years experience has accumulated the Associate Member shall be eligible for the classification of either Estimator or Constructor.

D. **Affiliate Member** - shall be employed in a construction related field and shall have all the rights and privileges of the Society except they shall not hold national office or vote except at the Chapter level or as a Registered Chapter Delegate. An Affiliate Member shall have the designation AF.

E. **Student** - shall be a full-time student actively pursuing a curriculum leading to a degree or certificate in a construction related field. A student member shall not hold office or vote in the Society and pay dues as provided for in Article III. Section 6.A.1. A student member shall have the designation S.

### SECTION 2 CLASSIFICATIONS ASSIGNED BY THE NATIONAL BOARD OF TRUSTEES

A. **Fellow Member** - shall be elected to Fellowship by the Fellowship Committee with the approval of the Board of Trustees. A Fellow Member shall be a Certified Professional Estimator and shall have been a member of the Society for a period of at least ten (10) years at the time of nomination. The Fellow Member shall be recognized for making an exceptional contribution to the Society and the art of estimating. Fellow Members shall not be required to pay dues and shall have the designation FCPE.

B. **Member Emeritus**. Shall have been a member of the Society for at least ten (10) years and working less than full time in the construction industry and shall have reached the age of sixty (60) years. The Member Emeritus classification shall be recommended by the member's Chapter or the Board of Trustees, and be approved by the Board of Trustees. A Member Emeritus shall have the designation of ME. A Member Emeritus shall have the same rights and privileges of the Society

as per their Society assigned classification under Article III, Section 1, Classification.

C. **Honorary Member** - shall be from outside the defined membership classifications and shall have performed distinguished service in activities related to the profession of construction estimating. An Honorary Member shall be recommended by a Chapter or the Board of Trustees, and be approved by the Board of Trustees. The Honorary Member shall not be required to pay dues and shall not be eligible to hold office or vote. An Honorary Member shall have the designation HM.

### SECTION 3 CLASSIFICATION ASSIGNED BY THE CERTIFICATION TECHNICAL COMMITTEE

A. A Certified Professional Estimator shall be qualified to practice in one or more of the construction disciplines and has met the certification requirements of the Society.

B. Certified Professional Estimator (CPE): Shall be an estimator who has successfully completed and continues to maintain the Certification requirements of the Society. A Certified Professional Estimator shall have the designation "CPE".

### SECTION 4 APPLICATION FOR MEMBERSHIP

Application for membership shall be submitted to the Society Business Office and the effective date of the membership shall be the date of receipt in the Society Business Office. Classification of membership shall be entered by the Society Business Office where the member is geographically located, or as assigned by the Board of Trustees, and the classification designation is correct with Article III, Section 1.

### SECTION 5 TRANSFER OF MEMBERSHIP

Membership may be transferred from one Chapter to another, from Member-at-Large to a Chapter, from Chapter to Member-at-Large, or by approval of the Board of Trustees as provided for in Article IX, Section 3. B. 9. Notification shall be sent to the Society Business Office, and to the Governor if transferring to a different region. A member may belong to one or more Chapters but shall vote in only one for national representation.



## SECTION 6 DUES

A. **Changes in Annual Dues** - changes shall require a two-thirds (2/3) vote of the votes cast and shall become effective the next fiscal year.

B. **Special Classification dues shall be as follows:**

- 1) Student dues shall be five per cent (5%) of the annual dues of the Estimator classification.
- 2) Member Emeritus dues shall be ten percent (10%) of the annual dues of the Estimator classification.

C. **Special Assessments** - a special assessment may be levied based on the following requirements:

- 1) The assessment shall not exceed fifty percent (50%) of the annual dues in force at the time.
- 2) The assessment shall be effective on August 1 for a period of one year.
- 3) The assessment shall have the approval of two-thirds (2/3) of the total membership of the Board of Trustees.
- 4) The membership shall be notified of the special assessment within fifteen (15) days of approval.

D. **Payment of Annual Dues** – annual dues are due August 1 at the Society Business Office, payable in U.S. Funds. Members who have not paid their dues prior to September 1 shall be dropped from the membership and lose the rights and privileges of membership in the Society.

E. **New Member Dues** – new members will pay the full year dues upon joining with their first year renewal dues being prorated to bring them into compliance with the Annual Dues.

## ARTICLE IV - CHAPTERS

### SECTION 1 CHAPTER ESTABLISHMENT

The Board of Trustees may charter Chapters consisting of individual members as classified herein after approval of its Petition for Charter.

### SECTION 2 CHAPTER MEMBERSHIP

The minimum membership to charter a Chapter shall be twenty (20) members.

### SECTION 3 PETITION FOR CHARTER

Upon approval of the Petition for Charter and before presentation, the Chapter shall subscribe to the provisions in these bylaws. A new Chapter shall adopt the Standard Chapter Bylaws provided

by the Society submit their own bylaws, or modifications to the Standard Chapter Bylaws. New bylaws or modified Standard Chapter Bylaws, and future amendments, shall be approved by the national bylaws committee. A copy of new Chapter bylaws or modified Standard Chapter Bylaws and future amendments shall be on file in the Society Business Office.

### SECTION 4 CHAPTER CHARTER REVOCATION

The charter of a Chapter may be revoked by the Board of Trustees, after written notice delivered by carrier with return receipt required, for the following reasons:

A. Financial obligations to the Society are not paid within sixty (60) days after written notice of delinquency;

B. A Chapter's actions are inconsistent with these bylaws, or the welfare or purposes of the Society;

C. A Chapter's membership has fallen below twelve (12) members, and the Chapter has either failed to submit a plan to increase its membership to its Regional Governor, or has failed to achieve within a period of six months, the growth in membership set forth in a plan approved by the Regional Governor.

### SECTION 5 APPEAL

A Chapter may appeal their charter revocation at a hearing before the Board of Trustees at its next regular meeting by presenting new or previously undisclosed facts that should be considered before the revocation becomes final.

## ARTICLE V - REGIONS

### SECTION 1 REGIONS

The Society shall be divided into Regions for the purpose of promoting Society programs and goals. Regions may be created when recommended by the Board of Trustees and a two-thirds (2/3) vote of the registered delegates at an annual convention. Boundaries may be changed by a two-thirds (2/3) vote of the Board of Trustees.

### SECTION 2 REGIONAL MEETINGS

Each Region shall hold one (1) or more regional meetings per fiscal year for the purpose of conducting official Society business pertaining to

the Region. Chapter members and members-at-large of the Region shall be eligible to vote.

## SECTION 3 REGIONAL GOVERNOR

A. Each Region shall elect a Governor from the membership of the Region as prescribed by these bylaws.

B. Each Governor shall be a member of and represent their respective Region on the Board of Trustees.

C. Duties of a Governor shall be to:

- 1) act as liaison between the Chapters in the Region and the Society;
- 2) act as liaison between the members-at-large and the Society;
- 3) preside at all Regional meetings;
- 4) take such other action to further the goals of the Society within the Region.

D. Governors shall serve a term of two (2) years or until their successors are installed. Approximately one-half of the Governors shall be elected in the even-numbered years and the remaining Governors in the odd-numbered years. Terms shall commence at the close of the Annual Meeting/Convention. No Governor shall serve more than two consecutive terms.

E. A vacancy in the office of Governor shall be filled by a majority vote of the Regional members; an interim appointment, not to exceed sixty (60) days, may be made by the President.

## SECTION 4 MEMBER-AT-LARGE

A member-at-large is a member who is not a member of a Chapter because of geographical location of more than fifty (50) miles from a Chapter; or, as otherwise assigned with the option and approval of the Board of Trustees.

## ARTICLE VI - OFFICERS

### SECTION 1 ELECTED OFFICERS

The elected officers of the Society shall be President, First Vice President, Second Vice President, Third Vice President and Regional Governors.

### SECTION 2 DUTIES OF OFFICERS

The elected officers shall perform the duties provided in this Section and such other duties as

are prescribed for the office in these bylaws or in the adopted parliamentary authority.

**A. The President shall:**

- 1) call and preside at meetings of the Board of Trustees and annual convention;
- 2) appoint the Director of Administration, or an agent, to record minutes of meetings of the Board of Trustees and annual convention;
- 3) appoint the Treasurer who shall be a member of the Society and the Secretary who shall be a member of the Society or the staff;
- 4) appoint committee chairmen except for Finance, Nominating and all Technical Committees;
- 5) utilize such professional services, within budget limitations, as the President deems appropriate for the proper functioning of the Society and achievement of its goals;
- 6) appoint the Chief Teller and two (2) assistant tellers;
- 7) serve on the finance committee;
- 8) may vote only when the vote would affect the results;
- 9) appoint an officer or an agent to record minutes in an executive session;
- 10) be responsible for sealing and signing across the seal the executive session minutes prior to transferring to a locked file in the Society Business Office;
- 11) be an ex-officio member of all committees except the nominating committee;
- 12) perform such other duties as requested by the Board of Trustees.

**B. The First Vice President shall:**

- 1) become acquainted with the duties of the President;
- 2) serve on the finance committee;
- 3) assume the duties of the President when that officer is unable or unwilling to act.

**C. The Second and Third Vice Presidents shall:**

- 1) act as aides to the President, and, in order of precedence, assume the duties of the next highest office when a vacancy occurs;
- 2) serve on the finance committee;
- 3) chair or oversee a committee assigned by the President.

### **SECTION 3 TERM OF OFFICE**

A. Each officer's term shall commence at the close of the Annual Meeting/Convention, and shall continue for one year, or until their successor is installed.

B. The President and Vice Presidents shall not serve in the same office for more than two (2) consecutive terms.

C. Governors shall serve terms outlined in Article V. Section 3. D.

D. No member shall hold Society and Chapter office at the same time, except serving on a Chapter's Board of Directors

### **SECTION 4 VACANCIES**

A. A vacancy in the office of President shall be filled by the First Vice President. Remaining Vice Presidents shall ascend to the next highest position in order of precedence.

B. The President shall appoint, with a majority vote of the remaining officers, an interim Vice President(s) to fill the remaining unexpired term(s). Governor vacancies shall be filled in accordance with Article V. Section 3. E.

C. Members of the Board of Trustees serving one-half term or more shall be considered having served a full term.

### **ARTICLE VII - APPOINTED OFFICERS**

The appointed positions shall be those of Treasurer and Secretary.

#### **SECTION 1 DUTIES OF APPOINTED OFFICERS**

**A. The Treasurer shall:**

- 1) serve as chairman of the finance committee;
- 2) together with the finance committee prepare and present a budget to the Board of Trustees for adoption;
- 3) supervise the Society's accounting and financial records, and present financial statements as required or requested;
- 4) submit accounting and financial records for certified audit within sixty (60) days after the close of the fiscal year;
- 5) oversee the receipt and disbursement of funds of the Society in accordance with the adopted budget;
- 6) conduct other duties as directed by the Board of Trustees;
- 7) be bondable.

**B. The Secretary shall:**

- 1) record the minutes of meetings of the Board of Trustees and the annual convention when appointed by the President;

- 2) send notices of meetings and Chapter revocations as directed by the Board of Trustees;
- 3) utilize electronic means for recording, transmitting and storing of minutes and notices;
- 4) maintain a legal copy of all minutes off-site from the Society's Business Office;
- 5) conduct other duties as directed by the Board of Trustees and that generally apply to the office of Secretary.

### **SECTION 2 TERMS OF TREASURER AND SECRETARY**

The appointment of the Treasurer and Secretary shall be for one (1) year beginning August 1 and continue until their successors are appointed.

### **ARTICLE VIII - NOMINATION AND ELECTION**

#### **SECTION 1 NOMINATIONS**

Members may nominate a candidate or candidates for the office of President, First Vice President, Second Vice President, Third Vice President and Regional Governors in the Society. Nominations shall be on the prescribed form available from the Society Business Office, and submitted to the Society Business Office no later than February 1.

#### **SECTION 2 QUALIFICATIONS**

A member nominated shall indicate a willingness to serve in the office for which nominated. A nominee for President shall have served on the Board of Trustees, and other nominees shall have served as a Chapter officer or Society committee chairman.

#### **SECTION 3 NOMINATING COMMITTEE**

A. The nominating committee shall consist of one member from each Region appointed by the Regional Governor prior to February 1.

B. Nominees' qualifications shall be confirmed by the Society Business Office by March 1.

C. If no qualified nominee has been received for an office, the nominating committee shall select up to three qualified nominees for an office providing the nominees indicate a willingness to serve if elected.

D. The nominating committee shall follow the policy and procedure manual approved by the Board of Trustees.

## SECTION 4 SECRET BALLOT

A. Secret ballots shall be sent by mail, or electronically as specified in the adopted parliamentary authority, by the Society Business Office to all members entitled to vote no later than March 15. Ballots shall be returned to the Chief Teller no later than April 15. Ballots for Regional Governors shall be sent to members in each specific Region and the secret ballot shall include space for write-in candidates.

B. Nominees from the membership and those selected by the nominating committee shall be listed alphabetically on the ballot with incumbents noted. Chapter affiliation shall be listed together with statements on service, qualifications and positions.

C. The secret ballot shall include space for write-in candidates.

## SECTION 5 TELLERS COMMITTEE

A. The tellers committee shall be members composed of a Chief Teller and two (2) assistant tellers appointed by the President with approval of the Board of Trustees.

B. The Chief Teller shall be furnished a current list of eligible voters by the Society Business Office.

C. The Chief Teller shall hold unopened ballots until a meeting of the tellers committee.

D. The tellers committee shall follow the procedures established for the committee and, where silent, those in the adopted parliamentary authority.

E. The quorum for the tellers committee is a majority of the members.

## SECTION 6 ELECTION

A. Officers and Governors shall be elected by a majority vote, except, if there are three or more candidates for any office, the election shall be by plurality vote.

B. If there is a tie in the election for an officer, the elected officer shall be determined by a majority vote by secret ballot of the delegates registered and eligible to vote at the annual convention.

C. If there is a tie in the election for Governor, the office of Governor shall be determined by a majority vote by secret ballot of the delegates from a Governor's respective Region that are

registered and eligible to vote at the annual convention.

## SECTION 7 NOTIFICATION OF ELECTION

Election results shall be distributed by the Society Business Office no later than May 1.

## ARTICLE IX - BOARD OF TRUSTEES

### SECTION 1 COMPOSITION

The Board of Trustees shall be composed of the President, Vice Presidents and Regional Governors. The Immediate Past President shall be an ex-officio voting member, and the Treasurer shall be a member without vote.

### SECTION 2 POWER AND AUTHORITY

The Board of Trustees shall have full power and authority over the affairs of the Society except as otherwise provided in these bylaws.

### SECTION 3 DUTIES

A. The elected officers shall perform the duties provided in Section 3 and such other duties as prescribed for the office in these bylaws or in the adopted parliamentary authority.

B. The Board of Trustees shall:

- 1) approve appointments of the President;
- 2) adopt the annual budget;
- 3) appropriate funds necessary to meet the expenses of the Society;
- 4) designate depository institutions for deposit of funds;
- 5) authorize waiver or payment of bonds required of a member holding Society funds or property;
- 6) report to the delegates at the annual convention business transacted during the year;
- 7) investigate grievances and complaints of irregularities submitted, and serve as a body to which Chapters and/or members may appeal;
- 8) appoint an officer or agent to record minutes of an executive session;
- 9) may approve a member's transfer when requested from Chapter to member-at-large, or from a member-at-large to a Chapter;
- 10) change boundaries of Regions as outlined in Article V. Section 1;
- 11) Recommend to the Annual Convention changes in the number of regions;
- 12) take other actions as is necessary for the proper functioning of the Society that are consistent with these bylaws.

## SECTION 4 MEETINGS

A. **Regular** - the date and location of regular meetings of the Board of Trustees shall be scheduled by the Board of Trustees.

B. **Executive Session** - executive session of the Board of Trustees may be called by the President or another Trustee to conduct certain business where only members of the Board of Trustees are present and others specifically invited.

C. **Special** - special meetings may be called by the President or by a majority of the Board of Trustees.

D. **Observers** - except for meetings held in executive session, members of the Society may attend meetings of the Board of Trustees as observers.

E. **Quorum** - a majority of the voting members of the Board of Trustees shall constitute a quorum.

F. **Other Meetings** - in addition to in-person meetings, the Board of Trustees may hold meetings as set forth in Article XIV.

## ARTICLE X -- ANNUAL CONVENTION OF DELEGATES

### SECTION 1 DATE AND LOCATION

The Annual Convention of Delegates of the Society shall be held during one of the last two months of the fiscal year, the date and location selected by the Board of Trustees. Notice of the date, time and place shall be sent to the membership no less than sixty (60) days prior to the start of the convention.

### SECTION 2 VOTING

A. Registered Chapter delegates, members of the Board of Trustees, except the Treasurer, and members-at-large in attendance shall be eligible to vote at the annual convention. No member may vote in more than one capacity.

B. A Registered Delegate shall be a member in good standing of the Society and the Chapter in which the Chapter's votes are carried.

C. The voting power of each Chapter shall be determined by the membership of the Chapter as of June 1. Chapter delegates are entitled to vote the total number of votes assigned to the Chapter.

D. Chapters chartered after June 1 prior to the annual convention shall be afforded voting privileges based on the Chapter membership at the time of chartering.



## SECTION 3 WAIVER OF NOTICE

Attendance at the annual convention shall waive the requirement of a notice.

## SECTION 4 QUORUM

A quorum for the annual convention shall be a majority of those registered and eligible to vote.

## SECTION 5 POSTPONEMENT OF A CONVENTION

In the event of an emergency, the Board of Trustees by a two thirds (2/3) vote may postpone or cancel an annual convention. Members shall be notified of the postponement or cancellation in a manner determined by the Board of Trustees to be fair and reasonable under the circumstances.

## ARTICLE XI -- TECHNICAL COMMITTEES

### SECTION 1

The technical committees of the Society shall be Certification, Standards and Education.

A. **Composition** - technical committees shall consist of one (1) member from each Region appointed by the Regional Governor.

B. **Terms** - members shall serve a term of two (2) years beginning in the second year of the Governor's term. Members may serve no more than three (3) consecutive terms unless extended by the Board of Trustees.

C. **Chairmen** - chairmen shall be elected from among its members by each committee with the approval of the Board of Trustees.

D. **Policy and Procedure Manual** - each committee shall operate under the policy and procedure manual approved by the Board of Trustees.

### SECTION 2 DUTIES OF TECHNICAL COMMITTEES

A. **Certification Committee** - the Certification Committee shall be responsible for:

- 1) the development and administration of the Certification Program of the Society;
- 2) assign the classification of Certified Professional Estimator under the qualifications outlined in Article III. Section 3;
- 3) may assign the classification of Certified Professional Estimator to a non-member if qualified to practice as an Estimator in one or

more of the construction disciplines, and meets the certification requirements of the Society. A non-member CPE shall not pay membership dues, hold office or vote, but shall pay fees required for the certification of a non-member.

4) the committee members shall not be involved in the training of estimators for the Certification process.

B. **Standards Committee** - the Standards Committee shall be responsible for the development and administration of the Society's *Standard Estimating Practice* publication.

C. **Education Committee** - the Education Committee shall be responsible for the continued development and administration of educational aspects for the Society.

## ARTICLE XII -- COMMITTEES

### SECTION 1 STANDING COMMITTEES

The Standing Committees of the Society shall be Awards, Bylaws, Finance, Industry Awareness, Investigative, Strategic Planning, Membership, Nominating and Chapter Development. Except for the Investigative Committee, the chairmen shall be appointed by the President with the approval of the Board of Trustees. Committees shall operate under the policy and procedure manual approved by the Board of Trustees.

### SECTION 2 COMPOSITION OF STANDING COMMITTEES

A. The Finance committee shall be composed of the Treasurer as chairman, the President, First Vice President, Second Vice President and Third Vice President.

B. The Nominating committee shall be composed of one member from each Region appointed by the Regional Governor.

C. The Bylaws committee shall be composed of one member from each Region appointed by the Regional Governor.

D. Other committees, except the investigative committee (Article , shall have no less than two (2) additional members appointed by the committee chairman.

### SECTION 3 QUORUM

The quorum for standing committees to take action shall be a majority of the members.

## SECTION 4 DUTIES OF STANDING COMMITTEES

A. **Awards** - the awards committee shall develop and solicit nominations for awards given by the Society, and recommend recipients to the Board of Trustees for approval.

B. **Bylaws** - the bylaws committee shall:

- 1) receive and present proposed amendments to the Society bylaws as provided for in Article XIX. Section 2;
- 2) review and approve new bylaws or modified Standard Chapter Bylaws as submitted by Chapters;
- 3) be responsible for verifying that all new or modified Chapter bylaws are on file in the Society Business Office.

C. **Finance** - the finance committee shall:

- 1) prepare the annual budget and present to the Board of Trustees for adoption;
- 2) review and monitor the budget on a regular basis.

D. **Industry Awareness** - the industry awareness committee shall:

- 1) research information and publicize those activities which may impact the construction estimator;
- 2) issue position papers on items of interest to the Society.

E. **Investigative Committee** - the investigative committee shall carry out the duties outlined in Article XIII. Section 3.

F. **Strategic Planning** - the strategic planning committee shall be responsible for exploring and considering plans for future growth and member services of the Society.

G. **Membership** - the membership committee shall be responsible for initiating means of expanding and serving the Society's membership.

H. **Nominating** - the nominating committee shall be responsible for submitting nominees for Society officers in accordance with Article VIII. Section 3.

I. **Chapter Development** - the chapter development committee shall be responsible for the development and organization of new Chapters, nurturing the further development of existing Chapters and assist in rebuilding faltering Chapters.

## SECTION 5 SPECIAL COMMITTEES

The President may authorize, with the approval of the Board of Trustees, the creation of special committees as deemed appropriate for conducting the affairs of the Society.

### ARTICLE XIII -- PROFESSIONAL DISCIPLINE

#### SECTION 1 CENSURE, SUSPENSION OR EXPULSION

A member may be censured based on the following reasons:

- A. Disregard for the purpose of the Society;
- B. Violation of the Code of Ethics of the Society;
- C. Violation of the Bylaws of the Society;
- D. Conduct prejudicial to the welfare or purposes of the Society.

#### SECTION 2 COMPLAINT

A signed hard copy of a complaint about a member shall be sent to the Board of Trustees. After review, the Board of Trustees may pursue a resolution of the complaint or forward the complaint to the investigative committee.

#### SECTION 3 INVESTIGATIVE COMMITTEE

A. **Composition** - an investigative committee shall be composed of one (1) Certified Professional Estimators from each Region. Committee members shall not be members of the Board of Trustees.

B. **Appointment** - regional governors shall recommend a member from each Region to serve on the investigative committee. The President shall accept or reject the recommendations and tender appointments to the Board of Trustees for approval. The first year, the Board of Trustees shall decide the initial length of term to be served by committee members (one, two, three, four or five). Thereafter, one new committee member, recommended by the Governor of the Region where the vacancy exists, shall be appointed by the incoming President and approved by the Board of Trustees. The committee shall elect a chairman from among its members.

C. **Term** - members of the committee shall serve staggered five (5) year terms and no member may serve more than two (2) consecutive terms.

D. **Vacancy** - vacancies due to resignation, relocation outside the Region, ineligibility or incapacity shall be filled by a recommendation from the President for the unexpired term and approved by the Board of Trustees. Should an investigation be in progress at the time of an unexpired term of a member, the committee may elect to retain the services of that member as an advisor until the final resolution of the investigation.

E. **Recusal** - in the event of recusals for a specific complaint that affects the quorum, the President, with the approval of the Board of Trustees, shall temporarily supplement the committee who shall serve for that complaint only. When the complaint has been finalized the regular member shall resume the seat originally held on the committee.

F. **Processing Complaints** - the committee shall process complaints as outlined in *Special Rules for Disposition of Complaints* approved by the Board of Trustees and, where silent, the adopted parliamentary authority.

G. **Accountability** - the committee shall report to the Board of Trustees only.

#### SECTION 4 DECISION

Upon receipt of the investigative committee report, and by a two-thirds (2/3) vote of the total membership of the Board of Trustees, a member shall be notified of the decision of the Board of Trustees by hard copy with delivery verification required.

#### SECTION 5 RECONSIDERATION

A member censured, suspended or expelled from the Society may, within thirty (30) days, request reconsideration by the Board of Trustees. After receipt of the Board of Trustees' decision on reconsideration, the member may, within thirty (30) days, request a hearing before the Board of Trustees at its next regular meeting.

### ARTICLE XIV -- WRITTEN COMMUNICATION AND ELECTRONIC MEETINGS

#### SECTION 1 WRITTEN COMMUNICATION

Written communication shall include any of the following:

- A. United States Postal Service and express delivery service

- B. Electronic communication
- C. Facsimile transmission
- D. Telegram
- E. Telephone conference
- F. Other methods of communication that can be verified.

#### SECTION 2 ELECTRONIC MEETINGS

The Board of Trustees, special and standing committees are authorized to meet by electronic means so long as all members may simultaneously hear each other and participate during the meeting. Minutes shall record the action taken during electronic meetings and, after approval, placed in the permanent file of minutes in the Society Business Office and off-site.

### ARTICLE XV -- ADMINISTRATIVE OPERATIONS

#### SECTION 1 EXECUTIVE POSITIONS

A. Executive Positions within the Administrative Operations of the Society shall be as determined by the President with the approval by majority vote of the Board of Trustees.

B. Society employees holding Executive Society positions shall be employed by the President with the approval of the Board of Trustees. Employment shall continue until termination either by the Employee or the Board of Trustees.

C. Termination of an employee holding an Executive Position shall be by a majority vote with notice or a two-thirds (2/3) vote without notice of the total members of the Board of Trustees.

#### SECTION 2 EXECUTIVE POSITION DUTIES

A. The duties and jobs descriptions of Society employees holding executive positions shall be determined by the President and approved by a majority vote of the Board of Trustees.

B. The duties and jobs descriptions of Society employees holding executive positions shall be filed in the Society Operations Manual.

C. Changes to the duties and jobs descriptions of Society employees holding executive positions can be made by the President with the approval of the Board of Trustees by a majority vote.

### ARTICLE XVI -- FISCAL YEAR

The fiscal year of the Society shall be August 1 through July 31.

## ARTICLE XVII -- INDEMNIFICATION

Should any person be sued, either alone or with others, because he or she was a Trustee, Officer, Governor, Treasurer, Secretary, Board or Committee Member or Employee of the Society, in any proceeding arising out of any alleged wrongful affirmative act or out of any wrongful act against the Society or by the Society, indemnity for his or her reasonable expenses, including attorney's fees incurred in the defense of the proceedings, may be reimbursed by the Society if the party sued is successful in defending in whole or in part or the proceeding against such party is settled and the Society finds that the defendant's conduct fairly and equitably merits such indemnity. The amount of such indemnity shall be limited to the expenses, including attorney's fees, incurred in defense of the proceedings and other such amounts as the Society determines and finds to be reasonable and equitable or the amount of the insurance coverage carried by the Society to cover such potential liability, whichever is lower.

## ARTICLE XVIII -- PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the proceedings of the Society in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the Society may adopt, and any statutes applicable to this Society that do not authorize the provisions of these bylaws to take precedence. The parliamentary authority of the Society shall be adopted by each Chapter and Region.

## ARTICLE XIX -- AMENDMENT OF ARTICLES OF INCORPORATION AND BYLAWS

### SECTION 1 ARTICLES OF INCORPORATION

**A. Correlation with Articles of Incorporation -** Article I and Article II of these bylaws shall be identical to the corresponding articles of the Articles of Incorporation.

**B. Convention Action -** the Articles of Incorporation may be amended at any annual convention subject to approval by the State of California and the Internal Revenue Service.

**C. Amendment Notice -** notice to the membership, through Chapters, of amendment(s) to the Articles of Incorporation shall be distributed

on or before May 15 prior to the annual convention where it will be considered.

**D. Vote Required -** the adoption of amendment(s) or a revision shall require a two-thirds (2/3) vote of delegates registered and eligible to vote.

### SECTION 2 BYLAWS

**A.** Amendments may be submitted by the Board of Trustees, technical and standing committees, Regions, Chapters and members.

**B.** Proposed amendments shall be submitted to the bylaws committee prior to December 15.

**C.** The bylaws committee shall review the proposed amendments and submit for review to the Board of Trustees prior to March 1.

**D.** Proposed amendments shall be distributed to each Chapter for members' review no later than May 15 prior to that year's annual convention.

**E.** Proposed amendments require a two-thirds (2/3) vote for adoption of delegates registered and eligible to vote at the annual convention.

**F.** ~~Adopted amendments shall be effective~~ immediately unless a proviso is adopted for a specific date.

## STANDING RULES

### of the AMERICAN SOCIETY OF PROFESSIONAL ESTIMATORS

1. Convention rules of procedure shall be developed by the President, reviewed by the Board of Trustees, and adopted by the delegates present and eligible to vote at the annual convention.

2. The copyrighted official Society emblem, a modern "E," and Society name, or derivative thereof, may be only used by Society members. Total visual presentation shall not detract from the professional stature of the Society.

3. Reimbursement of expenses shall be in accordance with the policy and procedure manual developed by the finance committee and approved by the Board of Trustees.

4. The official publication of the Society shall be *Estimating Today* which shall be distributed to each member and may be distributed to professional organizations for public relations efforts.

5. The membership directory shall be distributed through the Society Business Office and contain the names of members as of the first day of the fiscal year. The directory shall be posted on the "members only" section of the website no later than ninety (90) days after the start of the fiscal year. The directory or parts thereof, are the sole property of the Society and shall not be available to anyone outside the Society except by permission of the Board of Trustees.

6. Standing rules may be adopted or amended by a majority vote of delegates registered and eligible to vote at the annual convention.

END



# STANDARD CHAPTER BYLAWS

Amended 2012

## ARTICLE I -- NAME

This organization known as

Chapter (hereinafter referred to as "the Chapter") Number \_\_\_\_\_ of the American Society of Professional Estimators (hereinafter referred to as "the Society") consisting of members as defined in Article III of these bylaws is operated as a non-profit, educational organization.

## ARTICLE II -- OBJECT

The object of this Chapter shall be:

To further the recognition of construction estimating as a professional field of endeavor.

To promote education and contribute to the betterment of the construction industry.

To observe and promote ethical standards of conduct.

To contribute to the Society's Standard Estimating Practice publication.

To promote the certification program of the Society by which professionalism to construction estimating and adherence to these standards is recognized.

## ARTICLE III -- CHAPTER REQUIREMENTS

### SECTION 1 PETITION FOR CHARTER

A. The Society's Board of Trustees may charter Chapters after approval of the Petition for Charter. (Article IV. Section 1. Society bylaws.)

B. Upon approval of the Petition for Charter and before presentation, the Chapter shall subscribe to the provisions in the Society's bylaws.

### SECTION 2 CHAPTER MEMBERSHIP

The minimum membership to charter or reorganize a Chapter shall be twenty (20) members.

### SECTION 3 CHAPTER BYLAWS

A Chapter shall:

A. Adopt the Standard Chapter Bylaws provided by the Society or;

B. Modify the Standard Chapter Bylaws or;  
C. Submit bylaws written by the Chapter.

### SECTION 4 EFFECTIVE DATE

Proposed Chapter prepared bylaws or modified Standard Chapter Bylaws, and any future amendments, shall have the approval of the Society's bylaws committee before becoming effective. (Article XII. Section 4. B. 3. of the Society bylaws.)

### SECTION 5 FILING REQUIREMENT

A copy of the Chapter bylaws, and any future amendments, shall be on file in the Society Business Office.

### SECTION 6 CHAPTER CHARTER REVOCATION

The charter of a Chapter may be revoked by the Society's Board of Trustees after written notice to the Chapter delivered by carrier with return receipt required, based on the following reasons:

A. Financial obligations to the Society are not paid within sixty (60) days after written notice of delinquency;

B. A Chapter's actions are inconsistent with these bylaws, or the welfare or purposes of the Society.

C. A Chapter's membership has fallen below twelve (12) members, and the Chapter has either failed to submit a plan to increase its membership to the Regional Governor, or has failed to achieve, within a period of six months, the growth in membership set forth in a plan approved by the Regional Governor.

D. A Chapter may appeal their charter revocation at a hearing before the Society's Board of Trustees at its next regular meeting by presenting new or previously undisclosed facts that should be considered before the revocation becomes final.

## ARTICLE IV -- MEMBERS

### SECTION 1 QUALIFICATIONS OF CHAPTER MEMBERSHIP

The Chapter shall consist of individual members in classifications specified in Section 2.

A. Chapter members shall be members of the Society.

B. Chapter members shall be actively employed in the construction industry or

construction related services except for Member Emeritus who shall be employed less than full time; or have been employees as above and are actively seeking full time employment in the construction industry or construction related services.

C. Membership shall be open to persons meeting the qualifications regardless of national origin, race, creed, sex or age.

### SECTION 2 CLASSIFICATION OF CHAPTER MEMBERSHIP

A. Qualifications of each classification shall be as outlined in the Society's bylaws, Article III. Section 1.

1. Estimator
2. Constructor
3. Associate Member
4. Affiliate Member
5. Student

B. Classifications assigned by the Society's Board of Trustees. (Article III. Section 2 of Society bylaws) shall be:

1. Fellow Member
2. Member Emeritus
3. Honorary Member

C. The classifications assigned by the Certification Technical Committee in the Society's bylaws, Article III. Section 3 is Certified Professional Estimator.

### SECTION 3 APPLICATION FOR MEMBERSHIP

Application for Chapter membership shall be submitted to the Society Business Office and the effective date of membership shall be the date of receipt in the Society Business Office. After verification by the Chapter that the classification designation is correct with Article III, Section 1, of the Society's bylaws, the classification shall be entered by the Society Business Office.

### SECTION 4 TRANSFER OF MEMBERSHIP

Chapter membership may be transferred from one Chapter to another. A transfer may also be from member-at-large to a Chapter, from Chapter to member-at-large, by the approval of the Society's Board of Trustees. (Article IX. Section 3, B.9, of the Society's bylaws.)

## **SECTION 5 NATIONAL REPRESENTATION**

A Chapter member may belong to more than one Chapter but shall be listed in only one for national representation.

## **SECTION 6 DUES**

A. A Chapter shall establish annual dues and fees.

B. A change in the dues structure shall become effective the following fiscal year.

C. Chapter dues shall be paid with Society dues to the Society Business Office.

D. Due dates of Chapter dues are outlined in Article III. Section 6. D. of the Society bylaws.

## **ARTICLE V -- MEETINGS**

### **SECTION 1 SCHEDULED MEETINGS**

Chapters shall hold regularly scheduled membership meetings.

### **SECTION 2 QUORUM**

A. For chapters with less than fifty (50) members, the quorum shall be one third of the membership.

B. For chapters with more than fifty (50) members, the quorum shall be one fourth of the membership.

## **ARTICLE VI -- REGIONS**

Chapters are located within geographical Regions established by the Society's Board of Trustees. Chapter members, except affiliates, students and honorary, attending Regional meetings are entitled to vote on Regional and Society business brought before the assembly.

## **ARTICLE VII -- OFFICERS**

### **SECTION 1 ELECTED OFFICERS**

The elected officers of a Chapter shall be a President, Vice President(s), Secretary and Treasurer, and may include Director(s), the number to be determined by the Chapter.

### **SECTION 2 TERM AND VACANCY**

A. The term for officers and director(s) shall be one (1) year or until their successors are elected. The President and Vice President shall not serve in the same office for more than two (2) consecutive terms.

B. A vacancy in the office of President shall be filled by the Vice President in order of precedence.

C. A vacancy in the office of Vice President, Secretary, Treasurer or Director shall be filled by the remaining Board of Directors until the next election.

### **SECTION 2 DUTIES OF OFFICERS**

A. The President shall:

1. Call and preside at meetings of the Board of Directors and Annual Meeting;
2. Appoint committee chairmen except for finance and nominating committees with the approval of the Board of Directors;
3. Serve as ex-officio member of all committees except the nominating committee;
4. Appoint a third person, with the approval of the Board of Directors, who shall sign checks with the Treasurer and the President;
5. Appoint a chief teller and two assistants with the approval of the Board of Directors;
6. May vote only when the vote would affect the results;
7. Attend Regional meetings and the Society's Annual Convention;
8. Perform such other duties as prescribed in these bylaws or as requested by the Board of Directors.

B. The Vice Presidents shall:

1. Act as aides to the President;
2. Assume the duties of the President, in order of precedence, when that officer is unable or unwilling to act;
3. Attend membership meetings;
4. Oversee or chair any committees to which they may be assigned.

C. The Treasurer shall:

1. Serve as chairman of the finance committee;
2. With the finance committee, prepare and present the annual budget;
3. Maintain Chapter financial records and present a report at meetings of the Board of Directors and at other times when requested;
4. Be one of three people authorized to sign checks;
5. Receive and disburse Chapter funds as directed by the Board of Directors;
6. Prepare and submit required reports to maintain their IRS status;
7. Submit accounting and financial records for audit or a committee within sixty (60) days after the close of the fiscal year.

D. The Secretary shall:

1. Record the proceedings of meetings of Board of Directors and Membership Meeting;
2. Maintain the permanent records of the Chapter including minutes of meetings, both regular and special, of the Chapter and Board of Directors;

3. Maintain a roster of Chapter membership;
4. Attest to documents required to be executed by the Chapter;
5. Have available at Board of Director and membership meetings a copy of the Society and Chapter bylaws;
6. Conduct other duties as directed by the President or Board of Directors.

## **ARTICLE VIII -- NOMINATIONS AND ELECTIONS**

### **SECTION 1 NOMINATIONS**

Members may nominate a candidate or candidates for Chapter officers and director(s).

### **SECTION 2 QUALIFICATIONS**

Members nominated shall indicate a willingness to serve in the designated office or as director(s) for which nominated. Nominees for President shall have served on the Board of Directors.

### **SECTION 3 NOMINATING COMMITTEE**

A nominating committee of no less than three (3) members shall be elected by the members at the February membership meeting to receive and solicit nominations. The committee shall elect the chairman from among its members, and the President is not eligible to serve on the committee. The slate of candidates shall be presented at the March membership meeting when nominations from the floor will be received. Names on the final ballot shall be listed in alphabetical order.

### **SECTION 4 SECRET BALLOTS**

Secret ballots shall be sent by mail or electronically to all members of the Chapter eligible to vote, and returned by the deadline date listed. The secret ballot shall provide for write-in candidates.

### **SECTION 5 TELLERS**

The secret ballots shall be counted by the Tellers committee at the April membership meeting.

### **SECTION 6 ELECTION**

Officers and director(s) shall be elected by a majority vote. If there are three or more candidates for any office, the election shall be by plurality vote.

### **SECTION 7 NOTIFICATION OF ELECTION**

The results of the election shall be announced in the meeting and sent to all members not present. The Secretary shall notify the Society Business Office no later than May 1.

## ARTICLE IX -- BOARD OF DIRECTORS

### SECTION 1 COMPOSITION

The Board of Directors shall be composed of the President, Vice President(s), Secretary, Treasurer and Director(s). The immediate Past President shall be a member ex-officio with voting privileges.

### SECTION 2 POWER AND AUTHORITY

The Board of Directors shall have general supervision and authority over the affairs of the Chapter except as otherwise provided in these bylaws.

### SECTION 3 DUTIES

The Board of Directors shall:

- A. Approve appointments of the President.
- B. Adopt the budget and appropriate funds to meet expenses of the Chapter.
- C. Designate depository institutions for funds of the Chapter.
- D. Authorize waiver or payment of bonds required of a member holding Chapter funds or property.
- E. Report to members the business transacted by the Board of Directors.
- F. Investigate grievances and complaints of irregularities, and serve as a body to which members may appeal.
- G. Take other actions as is necessary for the proper functioning of the Chapter that are consistent with these bylaws.

### SECTION 4 MEETINGS

- A. The date and location of regular meetings of the Board of Directors shall be scheduled by the Board of Directors.
- B. The meetings of the Board of Directors shall be open to Chapter members, but participation is limited to permission of the presiding officer.
- C. An executive session may be called by the President, another officer or a majority of the Board of Directors to conduct certain business where only members of the Board of Directors are present and others specifically invited.
- D. Special meetings of the Board of Directors may be called by the President or by a majority of the Directors. The notice to a special meeting shall be sent no less than fifteen (15) days prior to the meeting. The item(s) of

business shall be listed in the call and no other business may be transacted.

E. The last scheduled meeting of the fiscal year shall be a joint meeting of incoming and outgoing officers and committee chairmen. Records of outgoing members shall be transferred at the meeting.

F. Electronic meetings may be held as outlined in Article XIII.

G. The quorum for meetings of the Board of Directors shall be a majority of the members.

## ARTICLE X -- ANNUAL CONVENTION OF THE SOCIETY

### SECTION 1 DELEGATES

Delegate(s) and alternate(s) shall be elected by the Chapter membership to represent the Chapter at the Annual Convention of the Society.

A. Chapters are entitled to one (1) delegate for every ten (10) voting members based on the Society records of Chapter membership as of June 1. A Chapter delegate shall be designated to vote the total number of votes assigned to the Chapter.

B. One (1) Alternate shall be elected for each Delegate.

C. A Chapter shall notify the Society Business Office the name(s) of Delegates and Alternates, and the name of the designated spokesperson for the Chapter, thirty (30) days prior to the Annual Convention of the Society.

## ARTICLE XI -- COMMITTEES

### SECTION 1 CREATION

The President shall be authorized to create committees deemed necessary to conduct the affairs of the Chapter.

### SECTION 2 STANDING COMMITTEES

Standing committees of the Chapter may include Awards, Bylaws, Certification, Standards, Education, Finance, Membership, Program, Newsletter, Industry Awareness, Public Relations and Historical. The President shall appoint the chairmen of standing committees with the approval of the Board of Directors.

### Section 3. Composition of Standing Committees.

Committee chairmen shall appoint at least one additional member to each committee.

### SECTION 4 DUTIES OF STANDING COMMITTEES

A. The Awards committee shall verify Chapter nominations for Society awards; prepare and submit documentation of Chapter activities for Society Chapter awards; select recipients for Chapter awards with the approval of the Board of Directors, and procure and prepare awards for presentation.

B. The Bylaws committee shall receive, prepare and present proposed amendments to the Chapter members for consideration; submit adopted amendments to the Society bylaws committee for approval before becoming effective; be responsible for submitting current bylaws and future bylaw amendments to be placed on file in the Society's Business Office.

C. The Certification committee shall maintain active liaison between the Chapter and the Certification committee member of the Region, and promote the certification program to members of the Chapter.

D. The Standards committee shall promote the Society's ***Standard Estimating Practice*** publication to Chapter members and the construction industry.

E. The Education committee shall promote the art of estimating through educational and training programs; develop liaisons between the Chapter and educational institutions with construction related curriculum to promote the objectives of the Society, and promote the programs of the Society Education committee.

F. The Finance committee shall prepare and present the proposed annual budget to the Board of Directors at the second meeting of the fiscal year.

G. The Membership committee shall develop Chapter membership drives; cultivate interest in Chapter membership; promote participation in Society sponsored membership drives, and distribute, receive and review membership applications.

H. The Program committee shall arrange for and promote programs for the general membership meetings based on construction related topics or of general interest to members.

I. The Public Relations committee shall publicize Chapter activities and awards, and promote Society objectives to other professional construction organizations.

J. The Newsletter committee shall publish and distribute to Chapter members, as well as the Regional Governor, the Presidents of other Chapters in the Region, the Society Business Office, and others an informative newsletter promoting Chapter and Society activities and other items of interest.

K. The Historical committee shall maintain historical records of the Chapter activities.

L. The Industry Awareness committee shall inform members of proposed and adopted legislation that affects the construction industry.

## **ARTICLE XII -- PROFESSIONAL DISCIPLINE**

### **SECTION 1 CENSURE, SUSPENSION OR EXPULSION**

After written notification, a member may be censured, suspended, or expelled from membership by the Society's Board of Trustees based on the following reasons:

- A. Disregard for the purpose of the Society.
- B. Violation of the Code of Ethics of the Society.
- C. Violation of the bylaws of the Society.
- D. Conduct prejudicial to the welfare or purposes of the Society.

### **SECTION 2 COMPLAINT**

A signed, hard copy of a complaint about a member shall be sent to the Society's Board of Trustees. After review, the Board of Trustees may pursue a resolution of the complaint or forward the complaint to the investigative committee to process as outlined in the ***Special Rules for Disposition of Complaints*** approved by the Board of Trustees and, where silent, the adopted parliamentary authority.

### **SECTION 3 DECISION**

The final decision shall be made by the Society's Board of Trustees.

### **SECTION 4 RECONSIDERATION**

A member censured, suspended or expelled from the Society may, within thirty (30) days, request reconsideration by the Board of

Trustees. After receipt of the Board of Trustees' decision on reconsideration, the member may, within thirty (30) days, request a hearing before the Board of Trustees at its next regular meeting.

## **ARTICLE XIII -- WRITTEN COMMUNICATION AND ELECTRONIC MEETINGS**

### **SECTION 1 WRITTEN COMMUNICATION**

Written communication shall include any of the following:

- A. United States Postal Service and express delivery service.
- B. Electronic communication
- C. Facsimile transmission
- D. Telegram
- E. Telephone conference
- F. Other methods of communication that can be verified.

### **SECTION 2 ELECTRONIC MEETINGS**

The Board of Directors, special and standing committees are authorized to meet by electronic means so long as all members may simultaneously hear each other and participate during the meeting. Minutes shall record the action taken during electronic meetings and, after approval, placed in the permanent file of minutes of the Chapter.

## **ARTICLE XIV -- FISCAL YEAR**

The fiscal year of a Chapter shall be August 1 through July 31.

## **ARTICLE XV -- INDEMNIFICATION**

Should any person be sued, either alone or with others, because he or she was a Director, Officer, Treasurer, Secretary or Employee of the Chapter, in any proceeding arising out of any alleged wrongful affirmative act or out of any expenses, including attorney's fees, incurred in the defense of the proceedings, may be reimbursed by the Chapter if the party sued is successful in defending in whole or in part or the proceeding against such party is settled and the Chapter finds that the defendant's conduct fairly and equitably merits such indemnity. The amount of such indemnity shall be limited to the expenses, including

attorney's fees, incurred in defense of the proceedings and other such amounts as the Chapter determines and finds to be reasonable and equitable or the amount of insurance coverage carried by the Chapter to cover such potential liability, whichever is lower.

## **ARTICLE XVI -- PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of ***Robert's Rules of Order Newly Revised*** shall govern the proceedings of the Chapter in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the Chapter may adopt, and any statutes applicable to the Chapter that do not authorize the provisions of these bylaws to take precedence.

## **ARTICLE XVII -- Amendment of Bylaws and Standing Rules**

### **SECTION 1 PROPOSED BYLAW AMENDMENTS**

A. Proposed amendments may be submitted by the Board of Directors or Chapter members.

B. Proposed amendments shall be submitted to the bylaws committee for review and presentation to the membership at the Annual Meeting of the Chapter.

C. After adoption by the Chapter, amendments shall be submitted to the Society's bylaw committee for approval before becoming effective.

### **SECTION 3 STANDING RULES**

A. Standing Rules may be adopted by a Chapter to establish fees, dates of meetings and other necessary rules for the proper functioning of the Chapter.

B. Standing Rules may be adopted or amended by a majority vote of the members.

END



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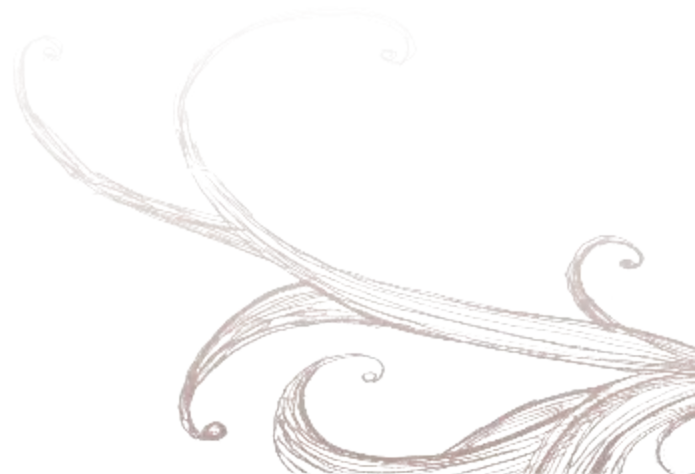
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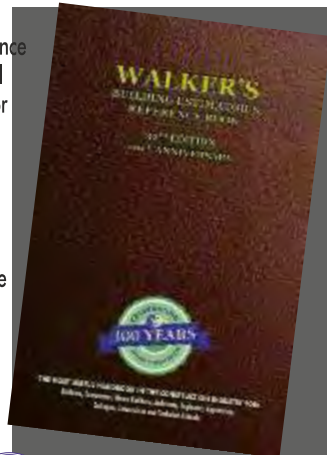
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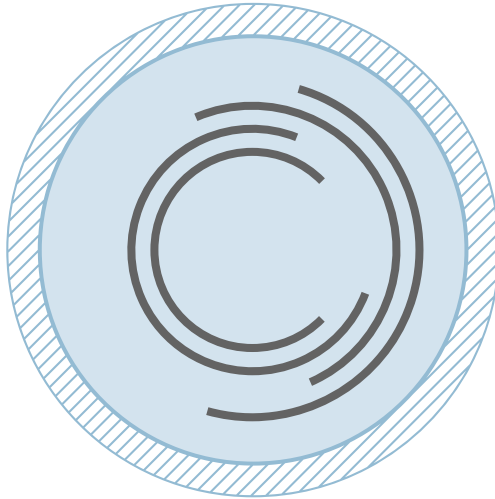
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