

April 15, 2004

60LCB#15 Capital Construction
Amended 3

Sponsored by:

Richard Murray
Brian Mason
Eugene Pearson

Tri-Executive
Law School Co-Senator
2nd Vice President

Authored by:

Richard Murray
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Tri-Executive
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A Bill

Bill History

A preeminent university must constantly strive to achieve its mission, maintain its reputation, and increase its renown. One critical component of this is the construction of new buildings. Academic excellence requires top facilities, both to attract and retain top faculty and to best serve a well-qualified student body, and to preserve and enhance the value of a CU-Boulder degree.

The University of Colorado is a state-financed institution. However, state funding for the University of Colorado has plummeted in the last few years. In the last two years alone, the State has reduced its funding to CU by 22%. The current political situation suggests that funding will continue to decrease until State support for the University of Colorado is next to nothing. As it is, the State contributes less than 8% of CU's operating costs every year.

One of the first items cut by State legislators, over three years ago, was funding for capital construction projects. This has left CU at a severe competitive disadvantage with her sister universities nationwide, and even with her privately funded in-state competitors.

The need for capital construction at the University of Colorado at Boulder is great. Countless classrooms campus-wide have deteriorated nearly beyond repair; CHEM 140 is one critical example. Technology standards have changed so much that many buildings are not equipped to handle the modern technological needs of students. A planned building using the latest learning technology is currently stalled. Most egregiously, several buildings cannot physically accommodate the number of students they are supposed to serve. The American Bar Association, for example, has threatened to revoke accreditation for CU's Law School unless a new building is constructed. The Business School is also extremely overcrowded: it was completed in 1970 to accommodate 1,700 students and now has an enrollment of over 3,000 students.

The obvious and most desired solution to this funding crisis is for the State to increase funding to the University. Unfortunately, however, the realities of the Colorado political and financial landscape make that scenario impossible. So the question remains, do we allow these facilities to deteriorate further and permit the academic mission and reputation of the University to fall as well? Or do we take corrective action?

The necessary step is corrective action.

This bill expresses support for and would introduce a student fee for capital construction projects campus wide. The fee would be used to build critical campus infrastructure and renovate deteriorating facilities and classrooms.

In order for our education to remain first class and to preserve the value of our degrees over the long term, we must take corrective action. Adoption of this measure is a critical step toward meeting that goal. Without this building fee, the campus will have no capital construction or capital renovation for the foreseeable future.

All of the projects have both a direct and indirect benefit to all students at the University of Colorado at Boulder. The prestige and reputation of high-ranking programs on campus benefit all students of the past, present, and future. Our Law School has dropped ten spots in this year's rankings and will continue to decline without new facilities. The Leeds School of Business may experience a similar decline in reputation and rankings without the introduction of adequate facilities. The drop in prestige of these campus institutions hurts the reputation of the entire university. Furthermore, the lack of technologically advanced facilities negatively impacts students from all disciplines. These capital construction projects will address these pressing needs.

All of these projects will help the University at large. For example, the Alliance for Technology, Learning and Society (ATLAS) building will benefit students from a variety of degree seeking backgrounds. It is expected that 6,000 students from throughout the campus will take classes in the ATLAS Building each year. Arts and Sciences students will benefit enormously from the ATLAS building through large amounts of new classroom space. Students from many fields, however, will benefit from the construction of this building. Music students will benefit from the Performance Studio, a nearly 3000 square feet, 2 1/2 story high "black box" dedicated entirely to student instruction and projects in the performing and creative arts. Music can expect to make significant use of this space as well as the adjoining 1000 square feet production studio. Journalism students will profit from the 1000 square feet production studio, adjoined by excellent recording spaces. This studio will be used as the main production-teaching studio for the School of Journalism and Mass Communication. In addition, the building contains five state of the art video editing booths that SJMC students will use extensively. And, a large number of SJMC students are enrolled in ATLAS Technology, Arts and Media courses, which will be held in the new building.

The University of Colorado is made up of world-class students and faculty. Over its long history, the University has built a well-deserved reputation of excellence. That standard of excellence is now threatened. It is threatened by a funding crisis and the inability to construct buildings, which would implement the academic mission of the University. We, as student leaders, must act now to enhance the academic mission of our school and to preserve the value of our degrees over the years and decades to come.

Bill Summary

The bill counteracts the Colorado General Assembly's inability to fund higher education, primarily due to restrictions imposed by the Tax Payers Bill of Rights (TABOR) and Amendment 23. This bill represents the support of the UCSU to institute a capital construction fee to pay for critical campus infrastructure.

BE IT ENACTED by the Legislative Council of the University of Colorado Student Union, THAT:

SECTION 1: UCSU supports the implementation of a capital construction fee, which will be used to pay off the bonds or other obligations related to the bond for the buildings for a period no longer than twenty (20) years after completion of the construction of the buildings referenced in Section Three and after the bonds for the four pending projects have been issued.

SECTION 2: Twenty percent (20%) of the funds collected through this fee must be applied towards need-based financial aid in order to assist undergraduate and graduate students with the burden of increased costs.

SECTION 3: After financial aid funds are subtracted, 78% of the remaining balance of fee revenue may be pledged or applied to pay directly or repay obligations issued to finance the costs of construction and related financial costs of each of the four campus capital projects, which were previously slated to receive state funding support:

Law School: max. construction costs supported by fee revenue = \$21,200,000 + inflation
Business School: max. construction costs supported by fee revenue = \$16,100,000 + inflation
ATLAS Building: max. construction costs supported by fee revenue = \$20,700,000 + inflation
IT Infrastructure: max. construction costs supported by fee revenue = \$13,300,000 + inflation

SECTION 4: After financial aid funds are subtracted, 22% of the remaining balance of fee revenue will be used to pay off a bond or other obligations for construction of the Visual Arts Complex for a period no longer than twenty-five (25) years after completion of the construction of the building and after the bond for the project has been issued. UCSU will work with BCPC and the Chancellor's Executive Committee in order to advance along the project with the appropriate approvals needed in order to begin fundraising.

SECTION 5: The building will be designed and certified as meeting the Leadership in Energy and Environmental Design (LEED) Silver standard of the US Green Building Council. The building will be designed to meet the LEED Gold standard, up to an incremental cost of 1% of the total capital project cost. The buildings will use 100% renewable electricity up to an incremental cost 10% above the total cost of electricity for the buildings. The electricity may come from a renewable on-campus source or a Green-E Certified off-campus source.

SECTION 6: Each of the buildings constructed with this fee must have gender neutral/family restroom facilities.

SECTION 7: Each building must have a plaque located at the main entrance that states:

“The (*NAME OF THE BUILDING*) was constructed with student fees and is dedicated to the students of the University of Colorado at Boulder. The University of Colorado Student Union made this building possible by supporting a capital construction fee when the State of Colorado would not fund capital projects in higher education.”

SECTION 8: The actual collection of the fee will begin when the first building is completed; consequently, interest will accumulate on debt obligations during construction of the four capital projects. The fee will begin at an increment no higher than \$100 in the first academic year and will increase by \$100 increments per academic year to an amount no higher than \$400 per student pro-rated by student status according to the current policies of the Bursar (e.g. similar to the computing fee).

SECTION 9: The University of Colorado Student Union must be included in the discussion and decision process for space allocation in the existing Fleming Law Building.

SECTION 10: An advisory board to the Chancellor shall be instituted which will make recommendations and provide input on tuition and fees at the University of Colorado at Boulder. The board shall be composed of two faculty members chosen by the Boulder Faculty Assembly, two administrators, four students who will be two Tri Executives, one Legislative Council President and one speaker from the Council of Colleges and Schools. There will also be one Parent Association member, one member from the Alumni Association, one member from the University of Colorado Foundation and one ex officio member from the community at large.

SECTION 11: This fee will be administered as a temporary solution to the current state-funding crisis. Once the General Assembly is capable of funding capital construction at the University of Colorado and all bonds for the buildings have been paid, the UCSU Tri-Executives and Legislative Council will discontinue the fee.

SECTION 12: There shall be no contract or procurement for any construction on capital projects paid for by this fee until a UCSU designated committee or staff person has, in coordination with the appropriate administration, created a pre qualification process for bidding contractors to the extent allowable by law. This includes, but is not limited to standards such as safe and adequate apprenticeship programs graduating at least 30% of the company’s “pre-journeyman” workers, a safe staffing plan, adequate health care benefits, a prevailing wage, union status, and worker’s ability to organize a union. Preference will be given to union contractors if bids from a union and a non-union contractor come in at the same price. This section will be subject to state statutory requirement and subject to the approval of the office of state buildings.

SECTION 13: The Chancellor or the Chancellor's designee will come before the legislative council once during the fall semester and once during the spring semester during construction of the buildings and infrastructure and for the period of not less than one year after completion of construction to give a report on the progress of the buildings.

SECTION 14: All projects funded through the fee, including Law, Business, and ATLAS are subject to central scheduling. In order to promote central scheduling, these individual schools must be in alliance with the rest of campus scheduling, excluding labs and lengthy classes.

SECTION 15: ENACTMENT: This bill shall take effect upon passage by Legislative Council and obtaining the signatures of the Tri-Executives.

April 15, 2004	PASSED	12-2-2
April 22, 2004	Tabled	
April 29, 2004	PASSED	15-2-0

**University of Colorado Student Union
Legislative Council**

July 1st, 2004

60LCR#2 TABOR Initiative

Sponsored by:	Joseph Neguse	Tri-Executive
	Veronica Crespín	Tri-Executive
	Eugene Pearson	Legislative President
	Stephen Fenberg	Second Vice- President
	Naomi Lopez	A & S Senator
	Arrah Closson	First Vice-President
	Jason Reid	Representative
	Jerod Beatty	Graduate School Senator
	David Roth	Engineering Senator
	Adam Wolach	Music School Senator
	Jessica Bralish	Journalism Senator
	Meg Rapp	Arch. & Planning Senator
	Laura Reinsch	Representative
	Travis Fawcett	Representative

Authored by:	Joseph Neguse	Tri-Executive
	Ageno Otii	Chief of Staff

A Resolution

Resolution History

The University of Colorado at Boulder is at a crossroads in regards to its future as a public institution of higher education in the state of Colorado. Because of a significant lack of state funding in the past several years, the University has been deemed an enterprise (approved through Colorado State Senate Bill #252), and thus is receiving less than 10% of its funding from the state. To ensure that the University of Colorado remains a public system of higher education, we must receive proper state funding for our general fund budget. Different constitutional amendments, primarily TABOR, have created a cash-strapping device that the State has been forced to accommodate to, and this has created dire consequences for many state services, specifically higher education. Thus to recapture lost funds for the state, in an effort to increase funding for higher education to its previous levels, we must assist the citizens of this state in the passage of a constitutional change to TABOR and Amendment 23. The Campaign for Colorado, headed by the Bell Policy Center, is currently working to get Ballot Initiative #126 and #137 on the State Ballot for fall 2004. We must support their initiative and pledge our resources to assist them in their campaign, should the item(s) be placed on the ballot in the fall of 2004.

Resolution Summary

WHEREAS; The University of Colorado receives less than 10% of its funding from the state, and;

WHEREAS; because of a lack of state funding, the University has been mandated as an enterprise in the State of Colorado, which is a significant step towards privatization, and;

WHEREAS; if CU does not receive appropriate levels of funding in the next fiscal year, the University will continue to be deemed an enterprise, and will look at generating more tuition and fee dollars to absorb the lost funds, and;

WHEREAS; because TABOR and Amendment 23 have placed spending limits on the state government, rendering the State unable to fund state services at proper levels, and;

WHEREAS; stated in “60LCR#1 State Funding”: “the last ten-year period of State budget allocations for higher education and other state agencies, which are dramatically affected by various legislation, including TABOR, Gallagher, and Amendment 23, indicate that there may not be enough General Fund revenues for higher education within the next 5 years”, and;

WHEREAS; re-structuring TABOR and Amendment 23 through a constitutional change will in effect generate more funds for the State, which may be re-allocated to higher education, and;

WHEREAS; receiving more state funding, and thus keeping tuition low in an effort to ensure accessibility is the student representatives (UCSU) primary goal, and;

THEREFORE BE IT RESOLVED by the Legislative Council of the University of Colorado Student Union, **THAT,**

SECTION 1: The students of the University of Colorado at Boulder *support* the Citizen Leadership to Resolve Colorado’s Budget Crisis.

SECTION 2: The students of the University of Colorado at Boulder *support* the Campaign for Colorado’s Ballot Initiatives, specifically Ballot Item #126 and Ballot Item \$137, which structurally adjust TABOR and Amendment 23, which are proposed for the Colorado State general election November 2nd, 2004

SECTION 3: The students of the University of Colorado at Boulder *support* the Campaign for Colorado’s Statement of Resolution, attached to this Resolution as Appendix A.

SECTION 4: The students of the University of Colorado at Boulder pledge to *support* the initiatives should they be placed on the ballot, and shall mandate this support in bill form as well as implementing this directive for the Legislative Affairs Commission.

SECTION 5: This resolution will be sent to the Regents of the University of Colorado, CU-System President Elizabeth Hoffman, CU-Boulder Chancellor Richard Byyny, Governor Bill Owens, and the legislators of the state of Colorado, the Colorado Commission on Higher Education and any other parties requesting said resolution.

SECTION 6: This resolution takes effect special order upon passage by Legislative Council and upon obtaining the signatures of the Council President and Tri-Executives.

7/1/04	Passed 1st Reading	9-0-2
7/15/04	Passed 2nd Reading	7-0-2

Eugene Pearson, Legislative Council President

Joseph Neguse, UCSU Tri-executive

Veronica Crespín, UCSU Tri-executive

Garrett Stanton, UCSU Tri-executive

**University of Colorado Student Union
Legislative Council**

July 1, 2004**61LCB#3 Building Fee Consultant**

Sponsored by:	Stephen Fenberg	2 nd Vice President
	Eugene Pearson	President
	Joe Neguse	Tri-exec
Authored by:	Stephen Fenberg	2 nd Vice President

A BILL

BILL HISTORY

The Capital Construction Building Fee, 60LCB15, was passed in May of 2004. The fee was imposed in order to pay for critical campus infrastructure, including a new Law building, the Atlas Building, an addition to the Business School, IT Infrastructure, and a new Visual Arts Complex. UCSU supported the implementation of this fee to pay off the bonds for the buildings, but only under the mandates included within 60LCB15. These mandates included environmental standards, family restroom facilities, and collaboration between UCSU and administrators to draft a pre-qualification process in obtaining a contractor to construct the building. This last mandate is the primary concern of this bill. The mandate is stated as follows:

SECTION 12: There shall be no contract or procurement for any construction on capital projects paid for by this fee until a UCSU designated committee or staff person has, in coordination with the appropriate administration, created a pre qualification process for bidding contractors to the extent allowable by law. This includes, but is not limited to standards such as safe and adequate apprenticeship programs graduating at least 30% of the company's "pre-journeyman" workers, a safe staffing plan, adequate health care benefits, a prevailing wage, union status, and worker's ability to organize a union. Preference will be given to union contractors if bids from a union and a non-union contractor come in at the same price. This section will be subject to state statutory requirement and subject to the approval of the office of state buildings

In recent conversations with administrators, UCSU has learned that we have been overlooked and left out of the process to find a contractor for these projects. According to Paul Tabolt, there are conflicts with state statutes that already address labor, wages and procurement. After extensive research, it is UCSU's finding that no such legal barriers exist. The administration has excluded UCSU in the ongoing conversations with construction companies, and has proceeded without any pre-qualification process.

Based on UCSU's research, outsourcing entities, like CU, are legally able to pre-qualify bidders with a formula that guarantees the best value for the cost of a project, and includes other standards that are not the deciding factors, but are included in the formula for what will bring the highest quality job for the least amount of money.

UCSU believes that the current process for awarding contracts is based on a backward system that other institutions have reformed in ways similar to that of the resolution's attempts. The administration's rationale is that the lowest bid is the best, and that it is the only legal method for bidding a contract as a public outsourcer. This rationale neglects the reality of overwhelming costs put to students and the public in previous contracts because "bad actors" failed to meet basic standards, such as adequate training for employees, health and safety measures, stable structures, required rest and break periods for workers, double and triple the average rate of injury and death on-site, and other "set-backs" resulting from poorly prepared contractors waving the lowest bid in front of the administration without any consideration of the best value, or typical formulas for determining standards that save both money and lives. Hence, the administration's rationale essentially dictates that those applicants with the worst credit, are the most attractive; those who have cheated previous clients, broken the law, or even increased previous costs to students and taxpayers here at CU once or twice before, are still the most desirable. Moreover, because responsible contractors refrain from offering ridiculously low bids and increasing costs later, they have learned to not bother bidding, since less responsible contractors always get the public sector jobs. Nonetheless, using a best value formula shows that responsible contractors can provide far better value without increasing their rates long after the project has begun. The current rationale has excluded the most responsible, most cost-effective contractors simply because public officials, like administrators at CU, do not consider the enormous value of quality and stable, safe, and dependable work that costs students and the public what they thought they would be paying.

Likewise, UCSU's concern comes from the irrefutable data nationwide pointing to the construction industry as

one of the deadliest, most dangerous occupations in the country. The Building Trades of Colorado's figures show that men from Spanish-speaking countries make-up more than 90% of the industry's workforce, and the National Employment Law Projects most recent study on occupational fatalities shows that Latino men working for irresponsible contractors are 2.5 times more likely to die than their counterparts. In addition, workers without the standards associated with responsible contractors are more than 10 times more likely to die on the job than police officers, according to the US Department of Labor. The Front Range Economic Strategy Center has also compiled local data revealing similar trends in Colorado, connecting the highest rates of turnover, worker abuse, federal law-breaking, chronic pain, permanent injury, and death to contractors bidding low prices without providing basic training, protections, or humane working conditions to their vulnerable workforce. UCSU believes that there is little room, or time, to prevent an irresponsible contractor from once again taking advantage of students and workers on our campus, and that the best value and the best values can be implemented with a reliable consultant and some dedicated work in the coming months.

BILL SUMMARY

This bill establishes that UCSU Legislative Council will go to Finance Board and request SOR funds to be provided to hire a consultant in order to meet the mandates included in the Capital Construction Building Fee bill.

THEREFORE, BE IT ENACTED by the Legislative Council of the University of Colorado Student Union, THAT:

SECTION 1: UCSU included the mandates as stated in Section 12 of 60LCB15 to protect students and taxpayers from excessive long-term costs, as well as workers from traditionally irresponsible contractors

SECTION 2: In order to meet the mandates included in 60LCB15, UCSU Legislative Council will go to Finance Board and request SOR funds to be provided to hire a consultant

SECTION 3: The hired consultant will fulfill the job description included in Appendix A.

SECTION 4: This Bill takes effect upon special order and upon obtaining the signatures of the UCSU Legislative Council President and the Tri-Executives.

7/1/04

Passed Special Order

9-2-0

Legislative Council President

Joe Neguse, UCSU Tri-executive

Eugene Pearson,

Veronica Crespin, UCSU Tri-executive

Garrett Stanton, UCSU Tri-executive
Appendix A

Position Title

Consultant for UCSU Capital Construction Fee Bill Mandates

Job Description

The position will be used to rigorously research and negotiate the legal, political, administrative, and economic landscape of the State of Colorado and the University of Colorado in order to implement formats for ensuring workers' rights in UCSU-funded projects or areas affecting students at CU-Boulder, and to recommend policies that meet the needs of students, workers, and the CU community when affected by the health and welfare of workers primarily or secondarily associated with CU, like construction workers contracted for UCSU's capital building projects.

Responsibilities

The position's responsibilities include:

Consultation to USCU-appointed Environmental and Labor commission fulfilling the Capital Building Fee Bill's mandate to ensure protections for workers hired with student fees;

Create a sound and legal pre-qualification process that meets the mandate of UCSU's capital fee resolution language, and satisfies the interests of both the student body and the administration;

Investigation into the past practice and record of any employer or contractor hired with student fees, or any employer or contractor considered for any bid at CU that is funded by or affects CU students;

Extensive research on the legal formats for creating an atmosphere that respects workers' rights at CU;

Establish recommendations for awarding contracts to bidders that will create the **best value** for those funding the projects, i.e., taxpayers, students, etc...

Negotiation with policymakers to secure advances for student workers, student-funded workers, or conditions that ultimately better students' educational environment at CU;

Advocacy for the protection of basic standards for workers' rights, including supervision of The Capital Building Fees Bill, Section 12 to guarantee access for workers to a fair contract, to collectively bargain, and to organize without interference from an employer;

Investigation into the working conditions, compensation, employment, disciplining, treatment, and termination of workers employed by student money;

Recommendation of policies that work to safeguard livable wages, benefits, and working conditions for student workers and workers hired with student money; and,

Publication of reports that illuminate the true conditions of student-funded workers.

Methods

- Establish categories for competing contractors and compile a portfolio of each contractor's historical performance within each category
- Research bidders' previous accounts and include in their application any questions that might explain their exceeding expected prices
- Create expectations that provide an equal incentive to contractors traditionally inactive in the public sector bidding process as those traditionally active in the public sector bidding process, encouraging such contractors to bid if they appear to provide better value than current contractors
- Provide a detailed report of findings at federal and state agencies, like the Occupational Safety and Health Administration, the Workers Compensation Division of the US Labor Department, the Region 8 Office of the National Labor Relations Board, and the Colorado Employment Development Office, to highlight the qualifications or demerits of those actors bidding for capital projects at CU
- As necessary, regularly meet and negotiate with concerned administrators or other officials involved in the process leading to and throughout the construction of buildings funded with student money
- Research public records to record contractors' notable violations, such as breach of procurement agreements or violation of environmental or labor regulations for the purpose of weighing viability in the pre-qualification process.
- Establish a record of the past practices of contractors that are considered desirable and also a record of past practices that are considered unacceptable at the university
- Establish violators of federal law and move for their disqualification from the bidding process.

Qualifications

Familiarity with the CU system and state statutes pertaining to public contracts and procurement.

Contact with important industry, research and political support organizations

Experience in the investigation of fraud, wasted funds, labor violations, and labor law.

Working knowledge of state and federal labor law and history.

University of Colorado Student Union Legislative Council

September 8, 2005 63LCR#3 Graduate Students Capital Construction Fee
Restructure

Sponsored by:	Ashley Moore	President Pro- Tempore
	Arrick Kelley	Graduate Senator
	Jeremy Jimenez	Tri- Executive
Authored by:	Ashley Moore	President Pro- Tempore

A Resolution

Resolution History

The State of Colorado's budget crisis and statewide cuts to capital construction have forced the students at the University of Colorado to take corrective measures into their own hands. On April 29, 2004, UCSU Legislative Council passed 60LCB#15 Capital Construction. This bill serves to fund capital construction projects on the Boulder campus. While students agreed to increase student fees substantially commencing at the completion of the first building, these fees will bear a heavy burden. Even though twenty percent (20%) of the funds collected through the capital construction fee are mandated for need-based financial aid, students' fees are not covered by scholarships.

Resolution Summary

WHEREAS: The State of Colorado budget crisis, primarily because of TABOR and Amendment 23, has reduced funding to the University of Colorado to less than seven percent (7%) and has halted state-funded capital construction projects;

WHEREAS: The students of the University of Colorado have pledged student fees to pay for the much needed repairs and improvements to the Boulder campus;

WHEREAS: A large percentage of graduate students pay for school through teaching and research appointments which departments provide tuition waivers;

WHEREAS: The waivers received by graduate students do not cover student fees;
AND

WHEREAS: UCSU is dedicated to addressing the concerns of students, especially those dealing with student fees.

THEREFORE BE IT RESOLVED by the Legislative Council of the University of Colorado Student Union,
THAT,

SECTION 1: The students of the University of Colorado at Boulder urge administration to investigate moving graduate students' capital construction fee under a separate category so that it may be covered by tuition waivers while maintaining the history of the fee.

SECTION 2: The students of the University of Colorado at Boulder request that administration explore the same possibility for undergraduate students.

SECTION 3: The students of the University of Colorado at Boulder require that the findings be brought back to Legislative Council. For change to be implemented, the findings must be brought back to Legislative Council in bill form.

SECTION 4: This resolution will be sent to Sr. VC/CFO Ric Porreca and any additional requesting parties.

SECTION 5: This resolution takes effect upon passage by Legislative Council and upon obtaining the signatures of the Council President and Tri-Executives.

9/8/05	Passed	10-0-3
9/15/05	Passed	11-0-0

April 19, 2006

64LCB#17-CAPCON

BILL

University of Colorado Legislative Council

Sponsored by:Jeremy Jimenez
Katie Wolf
Ben Thacker
Max MascarenasTri-executive
Vice President
Senator
Senator**Authored by:**Jeremy Jimenez
Juan Stewart
Steve FenbergTri-executive
Dir. Capital Construction
Chief of Staff

A Bill

Bill History

On April 15, 2004 University of Colorado Student Union Legislative Council passed **60LCB#15 Capital Construction**. This piece of legislation implemented a student fee increase that would reach \$400 per year per student in order to fund the construction of the Wolf Law Building, ATLAS Center, LEEDS School of Business Expansion, IT Infrastructure, and a new Visual Arts Complex. These projects had previously lost funding due to a state fiscal crisis and therefore could only progress with this student funding.

Since the implementation of this student fee, UCSU has been deeply involved in the preconstruction and construction stages of the Wolf Law School, the ATLAS Center, the Recreation Fields Initiative and now the LEEDS School of Business. The Director of Capital Construction has worked closely with student participants, Facilities Management, colleges and schools, and the CU Administration to develop and implement an innovative construction process for these projects called Best Value Contracting.

Bill Summary

This bill will create a Capital Construction Standing Committee that is formally charged with the responsibility of issues regarding the development and implementation of programs that fulfill the requirements of 60LCB#15.

Setting up a committee to take on these capital construction responsibilities will create more oversight and involvement by the Legislative Council in the requirements of 60LCB#15 and act to further institutionalize the efforts that have been put into this issue thus far.

THEREFORE BE IT ENACTED by Legislative Council of the University of Colorado Student Union, THAT,

SECTION 1: This bill creates a Capital Construction Standing Committee which will report to the Legislative Council

SECTION 2: This committee will be comprised of at least two members of Legislative Council as appointed by the Legislative Council President and confirmed with a majority council approval, up to five students at large nominated by the committee and appointed by a majority approval of Legislative Council, and the Director of Capital Construction from the executive staff. The position of Committee Chair will be filled by one of the students at large and approved by majority approval of the committee.

SECTION 3: It is strongly advised that the positions of student at large be filled by students with proven experience in Best Value Contracting policy, construction management programs, and/or issues related to workers' rights (i.e. healthcare, safety, democratic workplace issues).

SECTION 3: The Responsibilities and purpose of the Committee will include but are not limited to the following:

1. Act as the primary body that works with Facilities Management and any applicable contracted construction companies regarding UCSU capital construction issues
2. Act as UCSU's student representatives on any Evaluation Teams and Monitoring Teams that assist in the scoring, selection, and monitoring of contractors and subcontractors
3. Ongoing construction site follow-up and monitoring
4. Further implementing and improving Best Value Contracting in UCSU related construction projects
5. Develop a Best Value Contracting policy in conjunction with CU Administrators that could be implemented for the rest of the CU campus
6. Developing any other necessary programs regarding capital construction and labor related issues

SECTION 4: The Chair of the Committee shall give a formal presentation regarding capital construction progress to the Legislative Council at least once a semester

SECTION 5: This bill takes effect upon passage by Legislative Council and upon obtaining the signature of the Legislative Council President and the Tri-executives.

4/27/06**Passed****13-0-1**

Ashley Moore, Legislative Council President

Jeremy Jimenez, Tri-executive

Brad Long, Tri-executive

Mebraht Gebre-Michael, Tri-executive

**University of Colorado Student Union
Legislative Council**

February 26, 2009

70LCB09

Sponsored by:

Blaine Pellicore

Leg Council President

Ryan Biehle

Tri-Executive

Authored by:
Executive

Ryan Biehle

Tri-

A Bill to Refer Constitutional Amendments to a Vote of the Students

Bill History

Bill Summary

Refers amendments to the UCSU Constitution, to be voted on by the students of the University of Colorado Student Union. Addresses the procedure for recall elections, the threshold for approval of a referendum increasing student fees, and procedures for the implementation of certain fees for capital construction.

THEREFORE BE IT ENACTED by the Legislative Council of the University of Colorado Student Union THAT:

SECTION 1: Article IX, Section C shall be amended to read:

C. Recall

1. Representative Council

a. The recall of a representative may be initiated by a petition of his/her constituency containing signatures of at least equal to ~~thirty-three~~ **FIFTY** percent of the votes cast in the previous election for that seat.

b. Recall procedures may not be initiated until at least two months after the original election.

c. GROUNDS FOR RECALL SHALL BE FAILURE TO SUBSTANTIALLY FULLFILL THE DUTIES OF THE OFFICE OF REPRESENTATIVE AT LARGE. THE APPELLATE COURT MUST FIRST APPROVE AND CERTIFY ANY RECALL PETITION, PRIOR TO ITS CIRCULATION AND FOR IT TO BE DEEMED BINDING, ON THE BASIS OF THE GROUNDS FOR RECALL.

d. Upon validation of the petition by the Election Commission an election within the constituency shall determine if the Representative shall be recalled. A majority of the persons voting, **WITH AT LEAST**

THE SAME NUMBER VOTING AS IN THE ORIGINAL ELECTION, is needed for recall.

2. Council of Colleges & Schools

Each School & College will establish and carry out its own recall procedures for its local representatives.

3. Executive

a. The recall of (a) member(s) of the Executive office may be initiated by a petition of their constituency containing signatures of at least equal to fifty-percent of the votes cast in the previous election for that office.

b. Recall procedures may not be instituted until at least two months after the original election.

c. GROUNDS FOR RECALL SHALL BE FAILURE TO SUBSTANTIALLY FULLFILL THE DUTIES OF THE EXECUTIVE OFFICE. THE APPELLATE COURT MUST FIRST APPROVE AND CERTIFY ANY RECALL PETITION, PRIOR TO ITS CIRCULATION AND FOR IT TO BE DEEMED BINDING, ON THE BASIS OF THE GROUNDS FOR RECALL.

d. Upon validation of the petition by the Election Commission an election within the constituency shall be held within three weeks to determine if the member(s) of the Executive office shall be recalled. A majority of the persons voting, **WITH AT LEAST THE SAME NUMBER VOTING THAT CAST A BALLOT IN THE ORIGINAL ELECTION**, shall be needed for recall.

e. If all members of the Executive Office are recalled, or if the single member of the

Executive Office is recalled, the vacancy shall be filled in accordance with the provisions of Article II of the Constitution.

SECTION 2: Article XIII, Section D of the UCSU Constitution shall be amended to read: No single referendum or Constitutional Amendment shall approve a change in total student fees for more than one percent, nor commit the University of Colorado Student Union and/or its individual students to any financial obligation for longer than four fiscal years, without receiving both a favorable majority vote and at least ~~twenty-five~~ **TEN** percent of the students eligible to vote at one time of the election voting in favor of the change. This shall not limit the authority of the Legislative Council or the Joint Boards as set forth elsewhere in this Constitution.

SECTION 3: Insert Section E in Article XIII to read: **ANY NEW FEE, THE PURPOSE OF WHICH IS TO MAKE ANNUAL PAYMENTS ON LONG-TERM DEBT FOR THE CONSTRUCTION OR REMODELING OF A BUILDING WHICH IS PRIMARILY USED FOR ACADEMIC OR DIVISION 1 ATHLETIC PURPOSES, MAY ONLY BE APPROVED BY A MAJORITY VOTE OF THE STUDENTS VOTING IN AN ELECTION.**

SECTION 4: The preceding sections shall be separately referred to a vote of the student body in the Spring 2009 election.

SECTION 5: This bill becomes shall take effect upon passage by the Legislative Council.

Vote Count

2/26/09

Moved to second reading

13-2-2

3/30/09

Electronic vote passed

13-0-0

Blaine Pellicore,
UCSU Legislative Council President

Ryan Biehle, UCSU Tri-Executive

Dustin Farivar, UCSU Tri-Executive
Tri-Executive

Victoria Garcia, UCSU Tri-Executive
Tri-Executive

