

Colorado Contractors Coalition | CCC

ABOVE

THE BOTTOM LINE



COLORADO ROOFING ASSOCIATION

by Debbie Hathorne, Executive Director

Colorado Roofing Association | CRA Established in 1978, the Colorado Roofing Association is committed to promoting the ethics, education, and image of the roofing industry throughout the State of Colorado. Our membership includes over 260 roofing contractors, consultants, engineers, manufacturers, distributors, and associated professionals throughout Colorado's roofing industry. CRA is not only dedicated to keeping our members informed and trained but also driven to help homeowners and commercial building owners & managers make informed decisions about replacing and maintaining their roof systems.

WORKING WITH LEGISLATORS: MY STORY

by Scott Deering, Absolute Caulking & Waterproofing, Inc.

The Colorado General Assembly are elected officials and consist of 65 members of the House of Representatives and 35 members of the Senate. They are tasked with creating public policy with the ultimate decision to approve or veto made by the duly elected Governor.

Legislators come from a variety of backgrounds. My experience has shown that legislators get into this position to improve life for all that reside and visit our state. They are teachers, lawyers, doctors, accountants, business owners etc. Many are considered experts in their professional fields, but none enter politics as expert legislators, nor do they have knowledge of all subject matter of public policy. That is where we the people, as experts in our individual disciplines, come in.

Legislators want to hear from us. A career schoolteacher likely doesn't know a lot about the construction industry, yet it is their duty to make policy by which the construction industry must adhere. Lobbyists provide a great service by being a conduit between the true experts and the legislature, but nothing can replace a legislator hearing a first-hand account from a proven expert with direct experience on the issue at hand. *Continued page 2/reverse side*



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Working With Legislators

CONSTRUCTION TERM

RETAINAGE is the withholding of a portion of the funds that are due to a contractor or subcontractor until the construction project is finished

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American Subcontractors Association Colorado
www.ASAColorado.com

Colorado Roofing Association
www.coloradoroofing.org

Rocky Mountain Steel Construction Association
www.RMSCA.org



MONOPOLY VS MONOPSONY, *(reprinted from) MARKET POWER IN CONSTRUCTION*

Market power” can be described as the power to dictate contract terms, including payment, retainage, hold harmless and insurance terms. A business with a monopoly has market power because a monopoly is the only source of a product without readily available substitutes. A “monopsony” is the mirror image of a monopoly: instead of a single seller as under a monopoly, a monopsony is a market with a single buyer. A prime contractor on a construction project may be fairly described as a monopsonist, because once the prime contract is awarded, the prime contractor becomes the single buyer of subcontract work for that project. Since each bid is necessarily unique to the parameters of a particular project, the “relevant market” for the work proposed in any particular bid will be a single project. Also, a subcontractor’s relevant market for its services, in general, will have geographic and other important limitations, limiting the number of potential buyers and enhancing the monopsony power of the few prime contractors available to purchase any particular subcontractor’s services.

Brian Cabbage, former ASA Construction Law & Contracts Counsel

You have a vote, and you have a voice. Helping your legislator with policy decisions is an opportunity to be of service.

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PERSONAL STORY *continued*

Several years ago, a young gentleman running for State Rep. in the district in which I reside came knocking on my door to introduce himself and win my vote. I invited him into my home and sat with him at my kitchen table for nearly an hour discussing his desire to represent my district and what I, as a South Jeffco resident and construction professional, considered important issues. That gentleman was elected to the Colorado House of Representatives and a subsequent term. At that meeting we formed a relationship/partnership that allowed me to be a resource for him, particularly on construction and small business-related issues, and he in turn was a resource for our CCC group while we ran two separate pieces of legislation. Further, we were able to win his vote on both of our bills despite his party’s leadership not fully supporting our efforts. We eventually got both bills passed, signed by the Governor, and into law.

In my 15 years of doing legislative work on behalf of the American Subcontractors Association Colorado, I’ve had lunch, coffee and meetings with dozens of Colorado legislators. I’ve interviewed literally hundreds of potential legislators during the campaign process. They are the people that make the policy by which we all must live. You have a vote, and you have a voice. We can all be of service to make this state grand. Helping your legislator with policy decisions is an opportunity to be of service. That is my experience.

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