

**CENTER FOR JOB ORDER CONTRACTING EXCELLENCE  
ALLIANCE FOR CONSTRUCTION EXCELLENCE  
E-MAIL MEETING MINUTES  
May 18 – May 28, 2004**

On May 18, 2004, Robert Coffey emailed changes to the JOC Model Contract to the CJE Steering Committee (Section 1.9 and Attachment A, Section 3.0, 3.1 and 3.2). Ken Jayne replied that the changes were appropriate and that they should have been made at the May 4, 2004 Business Meeting. Members of the Steering Committee replied to Ken's email (copy below):

All,

The reference to RSMEANS was a simple oversight as a result of using a contract for the origin of the model contract that we have used in the past and that used RSMEANS as the specified UPB. Had any of us noticed it at the May 4<sup>th</sup> meeting, I am sure that we would have corrected it then.

We cannot afford to wait for annual business meetings for minor corrections. Nor by the by-laws are we required to do so. One of the reasons for having a Board and Executive Committee is to facilitate the transaction of routine business.

In addition to the corrections to the by-laws identified by Robert Coffey, there are some other very minor corrections in the minutes and the by-laws that should be made at the same time. I have attached a copy of my previous message, with one additional modification inserting the language in the model contract taking out the inadvertent reference to RSMEANS.

**By this message, as agreed at the May business meeting:**

- I am implementing the provisional by-laws effective as of the May 4, 2004.
- The provisional Board is structured as follows:

**Board Members:**

ASU Representative – Gary Aller (ASU)  
Industry Chair - Ken Jayne (consultant)  
Past Industry Chair- Tom Peeler (facility owner)  
Industry Chair-elect – Charlie Bowers (contractor)  
Member at large – Clint Owings (consultant)  
Member at large – Judy Myer (contractor)  
Member at large – TBD (waiting for an answer from a facility owner)

**Ex officio members (no vote on the Board, but advice is sought and welcome):**

All past Industry Chairs that are voting members of CJE (Bill Sweetser, Dave Pinkerd, Rich Barrick) (all contractors)

Dean Kashawagi (ASU)

Mike Ladino (legal)

(It appears to me to be a pretty good mix.)

- **Per Section Three of the By-laws, I call an “E” mail special Board meeting for Friday, May 21, 2004.**

- The question is approval of the minor corrections made in the minutes, by-laws, and model JOC contract as shown in the attached message. Robert Coffey has concurred with the corrections as shown. (I am sure that if any of us had noticed it during the May 4 meeting that we would have changed it then.)

- As an exception for this one question, I propose that we dispense with the requirement for a motion and second and proceed to vote to approve the minor corrections indicated so that we can get these documents posted.

- As a reminder, a quorum would be four Board members, and it would take three votes to pass.

- **If you are in favor of correcting these documents as proposed, please “X” the “yes” blank, if you are opposed, please “X” the “no” blank:**

YES \_\_\_\_\_ NO \_\_\_\_\_

- **Please respond by COB Friday, May 21, as I depart for Russia this coming Tuesday.** I can then notify everyone of the results before I leave, and if approved, they can be posted to the website in a timely manner.

Thanks for your help and support.

*Ken Jayne*

As of May 21, 2004, Ken had received responses from Clint Owings, Charlie Bowers and Judy Myers. The quorum was in agreement to make the proposed changes to the Provisional By Laws; Definition of JOC and to the JOC Model Contract.

May 28, 2004, Jacki Houchens made the approved changes to the Provisional By Laws and the JOC Model Contract. Ken Jayne was out of the country to review the changes, Charlie Bowers was called and he felt that the documents could be posted to the CJE Webpage by Gary Aller and if there were any other changes they could be discussed at the next meeting in August, 2004.

Minutes prepared by Jacki Houchens.