

**APPLIED TECHNOLOGY COUNCIL
BOARD OF DIRECTORS**

POLICIES

(Last Updated 08/01/2009)

TABLE OF CONTENTS

	Page
I. BOARD/BOARD MEMBERS.....	1
A. GENERAL BENEFITS	1
B. PARTICIPATION ON PROJECTS	1
C. REIMBURSEMENT FOR SERVICES AND EXPENSES	2
D. ETHICS.....	2
E. CONTRIBUTIONS TO ENDOWMENT FUND.....	4
II. BOARD OFFICERS/COMMITTEES.....	5
A. OFFICERS	5
B. EXECUTIVE COMMITTEE	5
C. OTHER COMMITTEES	5
III. EMPLOYEES/STAFF CONSULTANTS	7
A. STAFF/STAFF CONSULTANT POSITIONS	7
B. EMPLOYEE BENEFITS.....	7
C. EMPLOYEE PERFORMANCE EVALUATIONS	10
D. COMPENSATORY TIME.....	10
E. CONFERENCE ATTENDANCE	10
IV. GENERAL/ADMINISTRATION	11
A. INSURANCE.....	11
B. CONFERENCE/SEMINAR SPONSORSHIP	11
C. ATC LOGO AND NAME USE	11
D. ATC BYLINE.....	11
V. RELATIONSHIPS WITH OTHER ORGANIZATIONS	12
A. GENERAL.....	12
B. EARTHQUAKE ENGINEERING RESEARCH INSTITUTE.....	12
C. INSTITUTE FOR BUSINESS AND HOME SAFETY.....	12
VI. PROJECT DEVELOPMENT, CONSULTANTS AND SUBCONTRACTORS	14
A. PROJECT DEVELOPMENT	14
B. PROJECT CONSULTANTS AND SUBCONTRACTORS.....	15
VII. PUBLICATIONS.....	17
A. ACKNOWLEDGMENTS/CREDITS.....	17
B. REPORT PREFACES	17

APPLIED TECHNOLOGY COUNCIL POLICIES

C.	ATC DISCLAIMER	17
D.	REPORT PRICING	17
E.	MARKETING OF PUBLICATIONS.....	17
F.	COPYRIGHT	17
VIII.	ACCOUNTING/OPERATING RESERVE.....	18
A.	ACCOUNTING	18
B.	OPERATING RESERVE FUND	19
IX.	SUBSCRIPTION PROGRAM	20
A.	PURPOSE	20
B.	BENEFITS AND FEES.....	20
X.	ENDOWMENT FUND	21
A.	ESTABLISHMENT.....	21
B.	NAME.....	21
C.	PURPOSE	21
D.	ADMINISTRATION.....	21
E.	CONTRIBUTIONS/DONATIONS	21
F.	CONTRIBUTIONS FROM ENDOWMENT FUNDED PROJECTS	22
G.	ENDOWMENT COMMITTEE.....	22

ATTACHMENTS:

Attachment A: MOU with SEAOC and California Universities for Research in Earthquake Engineering (CUREe)	A-1
Attachment B: MOU with International Conference of Building Officials	B-1
Attachment C: MOU with American Association for Wind Engineering	C-1
Attachment D: MOU with Institute for Business and Home Safety.....	D-1
Attachment E: Standard ATC Consultant Agreement.....	E-1
Attachment F: Standard ATC Subcontractor Agreement.....	F-1

I. BOARD/BOARD MEMBERS

A. GENERAL BENEFITS

1. NON-MONETARY
A certificate will be awarded to each Director at the end of his (or her) term.
2. AWARDS
A Special Service Award will be presented to the outgoing President to recognize the contribution while in office.
3. SEMINAR/WORKSHOP FEES WAIVED
The registration fee for any ATC seminar or workshop is waived for Board members and any preprints will be provided without charge to Board members who attend.
4. LIFETIME SUBSCRIPTION BENEFITS
All past ATC Board Directors and Executive Directors will receive complimentary ATC lifetime subscriptions.
5. COMPLIMENTARY ATC PUBLICATIONS
ATC Board members receive one complimentary copy of each ATC report published during the Director's term in office.

B. PARTICIPATION ON PROJECTS

1. BOARD REPRESENTATIVE
 - a. The Board of Directors may, at its discretion, assign committees or individuals from among its members as Board Representatives on projects undertaken by ATC. The duties of these committees or individual members are to work with the Principal Investigator (Project Director) to ensure that projects are carried out in conformance with ATC contract obligations and directions of the ATC Board. These members shall perform other duties as assigned by the Board and shall report directly to the Board.
 - b. Board Representatives serve at the pleasure of the Board. Such appointments may extend for the term of the project, even if the term of the Directorship ends before the project has ended. The member will continue to represent the Board until: the project is completed, the member resigns the appointment, or the Board appoints a new Project Representative.
 - c. Project Board Representatives should make written and/or in-person interim reports whenever project status warrants. A Board Representative's final report should be written, and include statements of agreement and/or qualification concerning the project final documents.

2. CONSULTANTS/SUBCONTRACTORS

Board members may serve as Technical Consultants or Subcontractors on projects undertaken by ATC, upon approval of the Board. Board members may be reimbursed for their services as Technical Consultants or Subcontractors, plus direct expenses, subject to prior Board approval. Board members or their associated firms shall be chosen by normal selection procedures without prejudice due to their Board position. It should be understood that such engagement could create conflicts of interest and Board members should withdraw from debate or votes concerning projects for which they are being considered or so engaged.

C. REIMBURSEMENT FOR SERVICES AND EXPENSES

1. SERVICES

- a. Board members may be reimbursed for their services as Board Representatives on technical projects. They may be reimbursed for any time spent on a technical project in excess of 8 hours per month.
- b. Board member services may be included in project proposal budgets.
- c. Time spent in preparing for and attending Board meetings is not reimbursed
- d. Reimbursement for time spent as a result of Board activities, which are not project connected, may be authorized by the Board.

2. EXPENSES

- a. Board members are reimbursed for travel and expenses incurred as a result of attendance at Board meetings.
- b. Board members are reimbursed for travel and expenses incurred in connection with activity on projects for which the Director is serving as Board Representative.
- c. Board member expenses may be included in project proposal budgets.
- d. Reimbursement for expenses in connection with Board activities, which are not project connected, may be authorized by the Board.

D. ETHICS

1. STATEMENT OF PURPOSE

It is the intent of the Board of Directors that its members adhere to the highest level of ethical conduct so that ATC will have confidence that the Directors are acting for the benefit of ATC. Directors shall comply with both the letter and spirit of these Policies, and in carrying out their duties as Directors, shall strive to avoid impropriety and the appearance of impropriety.

2. OBLIGATIONS

- a. A Director shall discharge his/her duties in the best interest of ATC at all times.
- b. A Director shall not willfully disclose confidential information (information not generally available to the public) that he/she receives or

acquires in the course of and by reason of his/her duties as a Director to unauthorized persons either during or after his/her service as a Director, whether or not for pecuniary gain.

- c. A Director shall not use confidential information to further his/her private interests.
- d. A Director shall not use confidential information directly or indirectly for pecuniary gain or to make any investments or other financial transaction.

3. **AVOIDANCE OF CONFLICT OF INTERESTS**

- a. No Director shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his/her duties as a Director.
- b. No Director shall use or attempt to use his/her position as Director to secure privileges or advantages for him/herself or others.
- c. No Director shall act in his/her official capacity in any matter in which he/she has a direct or indirect personal financial interest that might reasonably be expected to impair his/her objectivity or independent judgment.
- d. No Director shall accept any gift, favor, service or other thing of value under circumstances from which it might reasonably be inferred that such gift, favor, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties as Director. Toward that end, any Director who receives a gift, favor, service or other thing of value, either directly or indirectly and whether by him/herself, or through a spouse or family member, from a person or entity with whom the Director has had contact in his/her official capacity, shall report receipt of the item or service to the Board of Directors. The members of the Board shall determine whether the item or service may be accepted, should be refused, or should be returned.

4. **PARTICIPATION IN ATC FINANCIAL AFFAIRS**

A Director assigned by the Board to participate in ATC Financial Affairs, including service as Treasurer, as a Trustee for the ATC Employees' 401K Retirement Plan, and as a member of the ATC Endowment Committee, shall execute his/her fiduciary duties pursuant to the policies and procedures established by the Board.

5. **REMUNERATION**

- a. Directors shall serve without compensation until such time as the Directors determine the propriety and amount of any compensation for the Directors.
- b. Notwithstanding paragraph I.D.5.a above, Directors may receive reimbursement for reasonable services and expenses in accordance with Sections I.B.2 and I.C.

APPLIED TECHNOLOGY COUNCIL POLICIES

- c. Directors shall refrain from accepting gratuities or favors from vendors or prospective vendors in accordance with Section I.D.3. above.

E. CONTRIBUTIONS TO THE ATC ENDOWMENT FUND

1. PERSONAL CONTRIBUTIONS

Directors shall contribute annually to the ATC Endowment Fund.

2. SOLICITATION OF CONTRIBUTIONS

Directors are encouraged to solicit contributions from outside parties to the ATC Endowment Fund.

II. BOARD OFFICERS/COMMITTEES

A. OFFICERS

1. PRESIDENT/VICE PRESIDENT

The President and Vice President preferably should not come from the same Structural Engineers Association or section.

2. INCOMING DIRECTORS

The incoming Board of Directors first meeting shall be held, and the Directors' term of office shall begin, at the conclusion of the ATC Annual meeting.

B. EXECUTIVE COMMITTEE

1. MEMBERSHIP

The Executive Committee consists of five members of the Board of Directors: President, Vice President, Past President, Secretary/Treasurer, and an at-large member appointed by the President.

2. RESPONSIBILITIES

- a. The Executive Committee acts on behalf of the ATC Board between Board meetings.
- b. The Executive Committee acts as the Nominating Committee for new officers.
- c. The Executive Committee reviews annually the performance of all ATC employees (with the Executive Director) and recommends salaries and benefits, based on input received from the ATC Executive Director.

C. OTHER COMMITTEES

1. APPOINTMENT

ATC Committees are appointed by the ATC President. The standing committees and their responsibilities are given below. Other committees may be appointed as needed.

2. BYLAWS AND POLICY COMMITTEE

The charge of this committee is to recommend changes to existing bylaws and policy.

3. CONTINUING EDUCATION COMMITTEE

The charge of this committee is to identify topics and formats for ATC continuing education programs and to recommend implementation strategies.

APPLIED TECHNOLOGY COUNCIL POLICIES

4. **ENDOWMENT COMMITTEE**
The charge of the endowment committee is to manage the *Henry J. Degenkolb Memorial Endowment Fund* of the Applied Technology Council. The chairperson of the committee shall be appointed by the President. Other members of the committee shall be appointed by the ATC Board. See Article X for additional information.

5. **FINANCIAL STATEMENT REVIEW COMMITTEE**
The charge of this committee is to review the annual audit report. The Secretary/Treasurer chairs the Financial Statement Review Committee

6. **STRATEGIC PLANNING COMMITTEE**
The charge of this committee is to review and recommend updates to the ATC Strategic Plan on a periodic basis. The chairperson of the committee shall be appointed by the President.

III. EMPLOYEES/STAFF CONSULTANTS

A. STAFF/STAFF CONSULTANT POSITIONS

1. STAFF POSITIONS (EMPLOYEES)

ATC full-time staff positions consist of the following: Executive Director, Director for Business Development, Director of Projects, Operations Manager, Information Technology (IT) Manager, Publications Specialist, and Administrative Assistant. Requests to increase full-time staff are approved by the Board prior to implementation. The duties of the staff are defined in job descriptions prepared by the Executive Director.

2. STAFF CONSULTANT POSITIONS

The Board may elect to engage staff consultants to assist staff in carrying out their functions. The title, compensation, responsibilities, and period of performance are defined in an engagement agreement with the consultant.

B. EMPLOYEE BENEFITS

ATC employees working more than 20 hours per week receive the following benefits, beginning on the first day of employment.

1. VACATION LEAVE

For full-time employees with less than five years of service, vacation time is accrued at the rate of 20 hours per quarter (2 weeks per year). After five years of employment, vacation time is accrued at the rate of 30 hours per quarter (3 weeks per year). Employees working less than 40 but more than 20 hours per week accrue vacation time on a pro-rated basis. Unused vacation may be carried over to the following year; however, unused vacation in excess of 240 hours may be paid out at year-end subject to the discretion of the Executive Director. Employees may not take in excess of five weeks of vacation time per calendar year without prior approval of the ATC Board. Employees are paid unused vacation time at termination of employment.

2. HOLIDAYS

Ten holidays are paid annually to full-time employees: Nine official holidays (New Years Day, Presidents' Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and day after, Christmas Eve Day, Christmas Day); and one floating holiday, taken at the discretion of the employee with prior approval by the Executive Director. Effective January 1, 2008, Martin Luther King day shall be added to the list of official holidays, and the floating holiday shall be eliminated. When an official holiday falls on a Saturday or Sunday and a substitute date is not otherwise specified by the Federal government, the employee may elect the date on which to take the holiday (with prior approval by the Executive Director). Employees working less than 40 but more than 20 hours per week receive holiday time on a pro-rated basis.

3. SICK LEAVE

Sick time is accrued at 20 hours per quarter for full-time employees (2 weeks per year). Employees working less than 40 but more than 20 hours per week accrue sick time on a pro-rated basis. As of November 18, 1988 employees may accrue up to a maximum of 240 hours of sick leave (6 weeks); the maximum accruable sick time allowed for employees employed as of November 18, 1988 shall be equal to the amount accrued as of that date, if more than 240 hours. Employees are not paid for unused sick leave at the termination of employment.

4. OTHER PAID ABSENCES

Employees receive 5 days paid leave for jury duty per year. Employees receive 4 days paid leave for personal time per year to participate in necessary personal activities, such as document signing and funerals, which cannot be performed outside of normal working hours. Unused jury and personal leave may not be carried over to the following year. Employees are not paid unused personal and jury leave at termination of employment. Employees working less than 40 but more than 20 hours per week receive personal and jury leave on a pro-rated basis.

5. RETIREMENT PLAN

The ATC 401(k) Retirement Plan defines rules and eligibility requirements for contributions by the employer and the employee. Employer contributes 10% of employee's annual salary (including bonus, if any), plus an additional amount in accordance with social security integration rules (estimated at 5.9% of employee's annual salary/bonus above the social security payment wage ceiling). Employees may contribute a portion of their salary/bonus on a tax deferred basis up to the maximum amount allowed by law. Employees are fully vested in the amounts contributed by them from time of eligibility. Employees are fully vested in the safe-harbor amount contributed by employer, equal to 3% of salary, from time of eligibility; employees are fully vested in the amount contributed by employer, equal to 7% of salary/bonus, plus an additional 5.9% of employee's annual salary/bonus above the social security payment wage ceiling, per the vesting schedule.

6. FLEXIBLE BENEFIT PLAN

ATC's Flexible Benefit Plan has three pre-tax accounts for payment of: (1) *Health Insurance Premiums*, whereby employee cost for health insurance premiums (if not covered under Insurance Benefits described below) is paid for with employee pre-tax dollars rather than after-tax dollars; (2) *Health Care*, whereby each employee can expend up to \$4,000 in pre-tax dollars annually for health care expenses of employee and dependents not paid by insurance (e.g., drugs, chiropractors, co-pay deductibles, office visits, mileage); and (3) *Dependent Care*, whereby each employee can expend up to \$5,000 in pre-tax dollars annually for dependent adult and child care. The Flexible Benefit Plan is administered in accordance with Internal Revenue Service regulations.

7. INSURANCE BENEFITS

Group Medical Insurance. ATC provides Group Medical Insurance for employees and their families¹. The Group Medical Insurance plan allows employees to choose either a PPO (Preferred Provider Organization) Plan or an HMO (Health Maintenance Organization) Plan. The maximum allowable premium per employee is set annually by ATC. On October 1, 2006, the maximum allowable premium per employee was set at \$1,000 per month.

Group Dental Insurance. ATC provides Group Dental Insurance for employees and their families¹. The Group Dental Insurance plan defines the benefits.

Vision Benefit. ATC provides a self-insured vision coverage program, whereby ATC pays vision-related expenses, including the purchase of glasses, for employees and their families¹, up to a maximum of \$300 per year per employee, based upon proof of payment.

Group Disability Insurance. ATC provides Group Disability Insurance for employees eligible to receive insurance. The Group Disability Insurance vendor defines the benefits and eligibility.

Group Life Insurance. ATC provides Group Life Insurance for employees eligible to receive insurance. The Group Life Insurance vendor defines eligibility. The death benefit is \$50,000.

Substitute Insurance Benefits. Employees electing not to participate in ATC's Group Medical Insurance plan, and employees whose monthly Group Medical Insurance premium is less than \$500, can participate in ATC's Substitute Insurance Benefit plan. The following types of insurance payments are covered by the ATC Substitute Insurance Benefit plan: (1) medical, dental, and vision insurance coverage for employee and family¹ paid by spouse (or other family¹ member) to their employer; (2) long-term care insurance for employee; (3) disability insurance for employee; and (4) life insurance for employee. ATC will either reimburse the employee (based on employee invoice and evidence of proof of payment) or pay the insurance premium directly to the insurance provider for the insurances covered by the Substitute Insurance Benefits plan. The maximum insurance payment benefit paid by ATC for all insurances under the Substitute Insurance Benefits plan is periodically reviewed and revised by ATC. For employees electing not to participate in ATC's Group Medical Insurance plan, the current maximum Substitute Insurance Benefit payment, per employee, is \$500 per month or 5% of employee's basic salary, whichever is greater. For employees whose monthly Group Medical Insurance premiums are less than \$500 per month, the current maximum Substitute Insurance Benefit payment, per employee, is \$500 per month or 5% of employee's basic salary, whichever is greater, less the monthly cost of their Group Medical Insurance premium."

¹ Family is defined as (1) a fundamental social group in society typically consisting of parents and their offspring; (2) two or more people who share goals and values, have commitments to one another, and reside usually in the same place.

C. EMPLOYEE PERFORMANCE EVALUATIONS

1. GENERAL

All employees are evaluated annually in early spring, with decisions on salary adjustments to be addressed and approved at the spring Board meeting, usually in April. New employees are evaluated 3 to 6 months after commencing employment, with subsequent evaluations in accordance with the above policy.

2. EXECUTIVE DIRECTOR

The annual performance review of the Executive Director is carried out by the President, Vice President, and Past President. This review will be completed prior to the April Board Meeting. The Executive Director shall advise the Board annually of his/her goals for staff and organization accomplishments for the succeeding year. The performance review will be based upon the Executive Director's success in achieving yearly organizational goals and the overall financial health of ATC.

D. COMPENSATORY TIME

Employees may accrue compensatory time, but should take compensatory leave in the quarter it was accrued. Accrued compensatory time not taken as of December 31 in a given calendar year shall be forfeited.

E. CONFERENCE ATTENDANCE

Board approval is required for staff attendance at conferences.

IV. GENERAL/ADMINISTRATION

A. INSURANCE

1. LIABILITY INSURANCE

ATC maintains comprehensive and general liability insurance.

2. BOND INSURANCE

ATC carries \$100,000 bonding insurance coverage for staff and officers who have access to or handle ATC funds.

B. CONFERENCE/SEMINAR SPONSORSHIP

Board approval is required for ATC sponsorship. Any requests should be brought before the Board.

C. ATC LOGO AND NAME USE

1. ATC LOGO

The ATC logo is exclusively for the official use of ATC; permission for its use for any other purpose will not be granted.

2. ATC NAME

The ATC name, without the corporate logo, may be used by individuals or organizations listing experience or projects in promotional literature.

D. ATC BYLINE

The following ATC Byline will appear on stationery and other promotional material: “A Nonprofit Corporation Advancing Engineering Applications for Hazard Mitigation”.

V. RELATIONSHIPS WITH OTHER ORGANIZATIONS

A. GENERAL

1. ATC BOARD MEMBER RESPONSIBILITIES

ATC Board members representing other associations should attend those associations' meetings as often as possible and report there on ATC activities.

2. TECHNICAL PROGRAMS

EERI and other organizations should be approached periodically to explore if and how such organizations, together with ATC, can be more effective and economical by coordination, administration, and management of technical programs.

3. MEMORANDA OF UNDERSTANDING

The Board periodically establishes Memoranda of Understanding (MOUs) with other professional organizations. Current MOUs are provided in the attachments.

B. EARTHQUAKE ENGINEERING RESEARCH INSTITUTE

1. ATTENDANCE AT BOARD MEETINGS

A member of the Board of Directors of the Earthquake Engineering Research Institute (EERI) is encouraged to attend ATC Board meetings as a Liaison Representative on a regular basis. The cost of attendance at such meetings shall be the responsibility of EERI. An ATC Board member will periodically attend EERI Board meetings at ATC's expense.

2. EXECUTIVE DIRECTOR MEETINGS

The ATC Executive Director and the EERI Executive Director should meet on a scheduled basis to discuss project proposals as well as on-going projects.

C. INSTITUTE FOR BUSINESS AND HOME SAFETY

1. ATTENDANCE AT BOARD MEETINGS

A representative of the Institute for Business and Home Safety (IBHS) is encouraged to attend ATC Board meetings as a Liaison Representative on a regular basis. The cost of attendance at such meetings shall be the responsibility of IBHS. An ATC Board member or staff representative will periodically attend IBHS meetings, as recommended by the IBHS Liaison Representative, at ATC's expense.

D. STRUCTURAL ENGINEERS ASSOCIATION OF CALIFORNIA

1. ATTENDANCE AT BOARD MEETINGS

The President of the Structural Engineers Association of California (SEAOC) is encouraged to attend ATC Board meetings as a Liaison Representative on a regular basis. The cost of attendance at such meetings shall be the responsibility of SEAOC. The ATC President or an ATC staff representative will periodically attend SEAOC meetings, as recommended by the SEAOC Liaison Representative, at ATC's expense.

VI. PROJECT DEVELOPMENT, CONSULTANTS, AND SUBCONTRACTORS

A. PROJECT DEVELOPMENT

1. GENERAL

- a. As a top priority, ATC actively identifies and develops projects that further its basic goals of technology transfer. Funding is actively solicited and obtained from public or private sources or taken from ATC reserves.
- b. Projects in general do not include design or evaluation of specific buildings for structural adequacy, except when used as case studies to illustrate design principles.
- c. ATC considers other projects if the sponsor has concluded that ATC is the sole source of the desired services due, for example, to a need for objectivity, to a desire for a cross-section of opinion, or to specific characteristics of the procurement system. In such cases, the Board rules on the appropriateness of the project, considering conformance with ATC's mission, the project technical content, and the sole source characteristics.

2. REQUESTS FOR PROPOSAL

- a. When required, in order to maintain a continuous and reasonable workload, ATC responds to Requests for Proposals (RFPs) for projects that involve research or development and technology transfer.
- b. ATC staff canvasses the Board and obtains a clear majority (60%) before responding to any RFP. For projects where ATC is likely to be in competition with a significant number of private consulting firms, Directors give paramount consideration to ATC's mission in reaching their decision.
- c. When responding to RFPs requiring identification of project consultant(s) /subcontractor(s), ATC normally names individual(s)/firm(s) that are qualified, interested and willing to serve on the project. If possible, without jeopardizing the likelihood of obtaining the project, ATC indicates that ATC will select the consultant(s)/subcontractor(s) after its own RFP and interview process. The selection committee may include a representative of the funding agency, if desired by the funding agency.
- d. If ATC is asked to participate as a subcontractor to another organization that is responding to an RFP, ATC may agree to participate on a non-exclusive basis if that organization is qualified to conduct the project and the project will advance the goals, fulfill the purposes, and satisfy the mission of ATC.

3. PROPOSALS FOR ATC SMALL RESEARCH PROJECTS

- a. The proposer shall demonstrate that the information developed by the research will be of use to a significant segment of the structural engineering profession.

- b. The proposer shall indicate that no prior or current usable research on the subject is available and shall include a list of sources which have been consulted.
- c. The request should be accompanied by a list of possible interested entities from federal, state and local government, and from industry, if these are known to the proposer.
- d. The request shall be forwarded to ATC only after review by the Structural Engineers Association or other appropriate regional group in which the proposer holds membership. This step may be omitted if there is no such Association or similar professional organization available to the proposer. The Association review shall have the benefit of study by its Research Committee or similar group. Any additional sources of information on the subject and suggestions for recipients of findings from the research shall be forwarded to ATC along with the recommendation for consideration by ATC.
- e. The proposal shall be reviewed by the Executive Committee of ATC. If the Committee finds that the proposal is appropriate for ATC to undertake, it shall send the proposal to the ATC Board of Directors and the Executive Director, along with recommendations for contractors to perform the research and for sources of funding.
- f. The ATC Board and the Executive Director shall pursue funding and means of implementing the project.
- g. The ATC Board shall vote approval or rejection of the proposal within six months of its receipt.
- h. The ATC Board shall appoint a Board Representative to activate and monitor the project and shall form a Project Engineering Panel to assist in developing and facilitating the project.

B. PROJECT CONSULTANTS AND SUBCONTRACTORS

- 1. **DATABASE OF INTERESTED FIRMS/INDIVIDUALS**
ATC maintains a database of potential consultants and/or subcontractors by periodically requesting appropriate professional organizations to solicit from their memberships the firms or individuals interested in working for ATC, including a request that the individuals/firms indicate their areas of work interest.
- 2. **CONSULTANT/SUBCONTRACTOR SELECTION**
ATC selects its consultants and/or subcontractors in two ways: (1) by appointing a Selection Committee to identify the most appropriate individuals/firms; or (2) by charging staff with the responsibility of identifying qualified, available individuals/firms. Candidates are drawn from the ATC database of firms/individuals (see item B.1), by means of a solicitation through a widely disseminated news release to appropriate professional publications (if the time schedule allows), and from nominations put forth by the ATC Board of Directors.
- 3. **CONTRACTUAL AGREEMENTS**

ATC uses standard consultant and subcontractor agreements developed and updated periodically by ATC (see attachments).

4. HONORARIA

Honoraria for paper/report preparation is paid only if the relevant paper/report complies with the ATC specifications submitted to the author.

5. ATC SUBCONTRACTOR/CONSULTANT RATES

- a. Costs for subcontractor services are negotiated on a project-by-project basis; subcontractors are asked to charge government audited rates on all government contracts.
- b. Consultants are paid a negotiated rate, the ATC Consultant Rate, or a government audited rate, depending on experience, assignment, and level of effort. In some cases, the consultant rate may be limited by the funding agency. Junior-level consultants are paid a negotiated rate; Project Engineering Panel and Advisory Panel members are paid the ATC Consultant Rate. Senior-level technical consultants are also paid the ATC Consultant Rate unless the level of effort is significant, in which case firm employees are paid their government-audited rate and independent consultants are paid a negotiated or government-audited rate.
- c. The ATC Consultant Rate is periodically reviewed and revised by the ATC Board (as of January 1, 2001 the ATC Consultant Rate is \$90-to-\$125 per hour, depending on experience).
- d. The consulting rate to be charged to clients for services of the ATC Senior Structural Consultant shall equal 125% of the rate paid to the consultant. This 25% load factor assumes that up to 25% of the Senior Structural Consultant's paid time will be on G&A activity, principally proposal and G&A project development services. The factored client rate for ATC Senior Structural Consultant services shall be in effect for projects commencing between July 17, 1999 and March 19, 2001, and thereafter charging the factored client rate shall be at the discretion of the Executive Director.

VII. PUBLICATIONS

A. ACKNOWLEDGMENT/CREDITS

ATC reports contain proper credits and the identification of ATC. The inside front cover of all ATC reports contains information about ATC, a current list of Board Directors, and ATC and funding agency disclaimers. A listing of all past ATC Board Directors and Executive Directors is included in the back of ATC reports.

B. REPORT PREFACES

The Preface for each ATC report is submitted to the Board for approval prior to publication of the report.

C. ATC DISCLAIMER

The inside front cover contains the following ATC disclaimer:

“While the information presented in this report is believed to be correct, ATC and the sponsoring agency(ies) assume no responsibility for its accuracy or for the opinions expressed herein. The material presented in this publication should not be used or relied upon for any specific application without competent examination and verification of its accuracy, suitability, and applicability by qualified professionals. Users of information from this publication assume all liability arising from such use.”

D. REPORT PRICING

The price of ATC reports will be fixed at publication time after consideration of reproduction costs, handling and shipping charges, and expected sales. The Board periodically establishes a “ball-park” average cost of ATC reports (currently \$40, effective January 1, 2001). For purchases of five or more reports, the price is discounted 20%.

E. MARKETING OF PUBLICATIONS

Staff markets ATC reports to professionals worldwide, and may sell ATC publications to bookstores for resale (at a discounted price).

F. COPYRIGHT

ATC copyrights all publications, unless prohibited by the project sponsor or ATC elects not to do so.

VIII. ACCOUNTING/OPERATING RESERVE FUND

A. ACCOUNTING

1. COMPUTERIZED ACCOUNTING

A computerized accounting system should be used.

2. FISCAL YEAR

The fiscal year is the same as the calendar year.

3. CHECK SIGNING POLICY

a. Checks for \$2,000 or less are signed by the Executive Director, Director of Business Development, Director of Projects, or one ATC Board officer (President, Vice President, or Secretary/Treasurer).

b. Checks for more than \$2,000 and less than \$5,000, and checks for office space monthly rent, are signed by any two of the following individuals: Executive Director; Director of Business Development; Director of Projects, ATC Board President, Vice President, Secretary/Treasurer.

c. Checks for more than \$5,000, other than those exempted per item 3b, above, are signed by any two of the following: Executive Director; ATC Board President, Vice President, Secretary/Treasurer.

d. Checks to transfer funds from one ATC account to another, not in the same financial institution, are signed by the Executive Director, Director of Business Development, Director of Projects, ATC Board President, Vice President, or Secretary/Treasurer. Instructions to transfer funds from one ATC account to another within the same financial institution can be made by the Executive Director, Director of Business Development, Director of Projects, or Operations Manager; the Executive Director approves all such transactions.

4. PAYMENT AUTHORIZATION

The Executive Director is responsible for approval and payment of all invoices.

5. BANKING ACCOUNT STATEMENTS

The banking account monthly statements are sent by the bank/financial institution to the Board Secretary/Treasurer for review and transmittal to the ATC office.

6. PROJECT FINANCIAL STATUS

The Board contact for each project shall be kept apprised of the financial status of the project.

7. AUDIT

An independent auditor is engaged to conduct annual audits of ATC financial statements in accordance with generally accepted auditing standards and Government Auditing Standards issued by the Comptroller of the United States.

APPLIED TECHNOLOGY COUNCIL POLICIES

8. MILEAGE ALLOWANCE
The ATC mileage allowance will equal the current Federal government mileage allowance.

9. PAID EMPLOYEE VACATION
Amounts owed to employees for paid vacation is accrued on a quarterly basis.

B. OPERATING RESERVE FUND

1. PURPOSE
The purpose of the Operating Reserve Fund, equal to assets less liabilities, is to meet ordinary cash flow requirements to facilitate the successful operation of ATC.

2. USE

- a. The fund is used for ATC operations purposes deemed appropriate by the Board.
- b. Every reasonable effort is made to maintain the fund at an amount that, in the opinion of the Board, is sufficient to meet the operating needs of ATC.

IX SUBSCRIPTION PROGRAM

A. PURPOSE

The ATC Subscription Program has been established to provide individuals and organizations with various benefits, as described below.

B. BENEFITS AND FEES

1. INDIVIDUAL SUBSCRIBER \$35.00

The subscription rates for Individual Subscribers are \$35.00 per year for domestic addresses and \$50 per year for international addresses, effective July 1, 2002. Individual Subscribers receive a 20% discount on newly-published ATC reports, up to 20% discount on registration fees for ATC workshops and seminars, and direct mail announcements regarding ATC projects, including solicitations for project participants.

2. FIRM/ORGANIZATION SUBSCRIBER \$300.00

The subscription rates for Firm/Organization Subscribers are \$300.00 per year for domestic addresses and \$300 per year for international addresses, effective July 1, 2002. Firm/ Organization Subscribers receive five free copies of available ATC reports per year, a 20% discount on newly-published ATC reports, up to 20% discount on registration fees for ATC workshops and seminars (applies to all employees of firm/organization), and direct mail announcements regarding ATC projects, including solicitations for project participants.

X THE ATC ENDOWMENT FUND

A. ESTABLISHMENT

The Endowment Fund, a specific fund distinct from the Operating Reserve of ATC, was established in 1988 with a deposit of \$2000 from the Operating Reserve.

B. NAME

The Endowment Fund (Fund) is named: "The Henry J. Degenkolb Memorial Endowment Fund" The byline for the Fund, which can be used in promotional material, is: "A fund named for a dedicated structural engineer — an international leader in the development of structural engineering technology — who gave outstanding technical support to the Applied Technology Council and its projects".

C. PURPOSE

The purpose of the Fund is to support projects of critical interest to structural engineering design practice, for which funds are not available from traditional funding sources.

D. ADMINISTRATION

1. AUTHORITY

The Fund is administered by the Endowment Committee (Committee).

2. FUND SIZE

Every reasonable effort shall be made to replenish and increase the Fund to an amount that, in the opinion of the Board, is sufficient to meet the purpose of the Fund .

3. INVESTMENTS

Funds not in active use by ATC shall be held in an interest-bearing account or other financial instruments as directed by the Committee.

E. CONTRIBUTIONS/DONATIONS

1. SOURCE

The Board and the Committee may obtain moneys for the Fund through contributions from individuals or organizations.

2. PARTICIPATION LEVELS AND BENEFITS

Sponsor: Contributions of \$10,000 or more

Individuals or organizations will be recognized as Sponsors in newly published ATC reports, will be invited to participate in selection of projects supported by the *ATC Endowment Fund*, and will be provided with one copy of all past ATC reports and all future ATC reports (for life, if an individual; for 15 years, if an organization).

Supporter: Contributions of \$5,000 to \$9,999

Individuals or organizations will be recognized as Supporters in newly published ATC reports and will be provided with one copy of all past ATC reports and all future ATC reports for 10 years.

Contributor: Contributions of \$2,000 to \$4,999

Individuals or organizations will be recognized as Contributors in newly published ATC reports and will be provided with one copy of all future ATC reports for five years.

F. **CONTRIBUTIONS FROM ENDOWMENT-FUNDED PROJECTS**

Projects undertaken and/or supported, in whole or in part, by money from the ATC Endowment Fund shall return a percentage of their revenue to the Endowment Fund. The percentage and method shall be determined by the Directors.

G. **ATC ENDOWMENT COMMITTEE**

1. **COMMITTEE COMPOSITION**

The Committee shall consist of a minimum of five and a maximum of nine current or former ATC Board members who have been appointed by the ATC Board of Directors. Other individuals, who have demonstrated an interest in the Endowment Fund, may also be appointed by the ATC Board. The committee shall elect other officers as deemed appropriate.

Committee members shall serve without compensation.

2. **MEETINGS**

The Committee shall meet at such times and frequencies as established by the chairman, with a minimum of one meeting per year to be held in conjunction with the Annual Meeting of the ATC Board of Directors. In addition to annual meetings, other meetings and Committee business can be conducted electronically via conference call, fax e-mail, etc., or by attended meetings as deemed appropriate.

Investment decisions and disbursements of funds of the Endowment shall be approved by a 2/3 majority vote of the Committee. All meetings, activities, and decisions of the Committee shall be reported to the Board in writing in a timely manner.

3. **RESPONSIBILITIES**

The Committee shall be responsible for the investment, development, collection, promotions and protection of funds collected by the ATC, which have been designated for endowment purposes

The Committee shall specify how the funds of the Endowment should be invested and used. Disbursements from the Endowment Fund, including written checks, shall require authorization signatures in accordance with the same policy defined for disbursement of ATC general funds. The Executive Director is authorized to approve disbursements in accordance with the terms of a consultant agreement or

other action approved by the Committee or mandated by the Committee Chairman.

The Committee shall respond to requests for funding of projects such as research, studies, and design guides, which are consistent with the goals and purposes of ATC. The Committee may solicit proposals for projects at its discretion.

4. **RELATIONSHIP WITH THE BOARD OF DIRECTORS**

The Committee shall report in writing to the ATC Board of Directors all actions and recommended policy changes of the Committee, a minimum of two weeks prior to the scheduled meetings of the Board.