

## CAPITAL PROJECTS ADVISORY REVIEW BOARD

1500 Jefferson Street SE; Presentation Room  
Olympia, Washington 98504

### Minutes

December 11, 2019

MEMBERS PRESENT	REPRESENTING	MEMBERS ABSENT	REPRESENTING
Walter Schacht ( <i>Chair</i> )	Architects	Brian Belarde	Construction Trades Labor
Rebecca Keith ( <i>Vice Chair</i> )	Cities	Mike McCormick	Higher Education
Bill Dobyns	General Contractors	Senator Bob Hasegawa	Senate (D)
Bill Frare	State Government	Rep. Steve Tharinger	House (D)
Matthew Hepner ( <i>Telecon</i> )	Construction Trades Labor	Senator Judy Warnick	Senate
Santosh Kuruvilla	Engineers	<i>Pending Appointment</i>	Hospital Districts
Karen Mooseker	School Districts	<i>Pending Appointment</i>	Insurance/Surety Industry
Irene Reyes	Private Industry	Vacant	Specialty Contractors
Mike Shinn ( <i>Telecon</i> )	Specialty Contractors		
Rep. Mike Steele ( <i>Telecon</i> )	House (R)		
Andrew Thompson	General Contractors		
Robynne Thaxton	Private Industry		
Lisa van der Lugt ( <i>Telecon</i> )	OMWBE		
Jane Wall	Counties		
Janice Zahn	Ports		

*Staff & Guests are listed on the last page*

### WELCOME & BOARD MEMBER INTRODUCTIONS

*Chair Walter Schacht called the regular Capital Projects Advisory Review Board (CPARB) meeting to order at 9:04 a.m.*

Members present and participating by telecon provided self-introduction. A meeting quorum was attained.

Chair Schacht welcomed newly appointed members Bill Dobyns representing General Contractors, and Robynne Thaxton representing Private Industry.

### Approve Agenda - Action

*Rebecca Keith moved, seconded by Andrew Thompson, to amend the agenda changing the status of the By Laws Revision to an informational item. Motion carried unanimously.*

### Approve October 10, 2019 Meeting Minutes – Action

The following changes were requested to the minutes of October 10, 2019:

- On page 17, revise the first sentence in the second paragraph under the topic of *2020 Legislative Prep – Review Potential Legislation – Information* to reflect, “A bill on subcontractor listing (HB 1571 & SB 5457) was re-introduced.”
- On page 19, revise the second sentence in the last paragraph to reflect, “He cited the bill on listing of subcontractors as an example and...”
- On page 9, within the first sentence of the last paragraph, insert “is” between “time” and “developing.”
- Correct the misspelling of Aleanna Kondelis.

*Andrew Thompson moved, seconded by Rebecca Keith, to approve the minutes of October 10, 2019 as amended. Motion carried unanimously.*

### Invitation for Public Comments

Vice Chair Keith invited public comments throughout the meeting.

Chair Schacht reported on December 1, 2019, Schacht Aslani Architects merged with Mithun, a 70-year architecture firm in Seattle. He is a partner in the new firm having served as a small business owner for nearly 25

years. Mithun is a medium-sized company. In addition to representing architects as a member of the Board, he will continue to represent the interest of small businesses, which are core to the Board's principles for creating an equitable and effective business environment in Washington State.

## **COMMITTEE REPORTS**

### **Reauthorization Committee– Information**

Vice Chair Keith commented on the active participation by both members and other participants to include several Board members during committee meetings. She reviewed the current timeline for the committee's work. Members agreed to meet monthly during January, February, and March to receive input from the GC/CM Committee surrounding the EC/CM and MC/CM proposals, as well as other efforts by the committee. The March meeting date has not been established; however, the intent is to receive a recommendation from the GC/CM Committee for recommended changes in the statute. At that time, members will consider decision-making and interaction with the Board on the recommendations. Similar to the JOC Evaluation Committee, the intent is giving weight to the recommendations of the committees because the committee's are comprised of subject matter experts. However, the Reauthorization Committee is also responsible for all proposed changes to the statute and it will be important that all those changes are harmonized between the committees and that there is broad support by all stakeholders. Any issues not resolved by the committee will be deferred to the Board for resolution. The committee is scheduled to work on draft legislation between March and May with the goal to present a draft to the Board in May. During the summer, the Board can review and vet the legislation with stakeholders with the Board considering any changes or concerns at the September meeting. The committee would likely meet weekly in September to address any changes or concerns prompted by the Joint Legislative Audit Review Committee (JLARC) process. During that time, the committee will pursue meetings with legislators to seek a sponsor in the fall with the goal of introducing a bill during the January 2021 legislative session.

Andrew Thompson complimented Vice Chair Keith and the committee for updating the schedule and outreaching to stakeholders on the status of the process.

Vice Chair Keith provided an overview of a Reauthorization Issues and Decision Matrix as of December 4, 2019. The committee developed the matrix to track issues. The committee sorted and categorized issues that should be addressed in the reauthorization legislation versus issues that fall under best practices or policies that pertain to organizations.

The committee believes transit or horizontal construction should be represented on the CPARB. The committee tentatively agreed to add a transit/transportation representative. One unresolved issue is the importance of maintaining the balance between private and public representation on the Board. Currently, the Board includes more representation from the private sector than the public sector. Adding a transit/transportation position would essentially render the balance issue moot; however, for those advocating for maintaining the current balance, two proposals would combine school districts and hospital districts into one District position. School District stakeholders were not supportive of the proposal as their respective interests are not aligned with Hospital Districts. The committee agreed not to pursue that proposal. The Board previously discussed eliminating the Hospital District position because the position has been vacant for several years. The Association of Washington Public Hospital Districts appoints the position, which does not enable the Board to control whether the position is filled. One challenge encountered by the Association was the unexpected passing of the Executive Director and transitioning to a new director. Vice Chair Keith said she met with the new Executive Director who acknowledged that if the Hospital Districts believe the position is important, the position should be filled. She shared information with the Director about the Board's prior discussion concerning the status of the position. The Director asked for additional time to investigate the issue and follow up with the Board. Vice Chair Keith recommended deferring any action until feedback is received from the Association.

Another proposal was the addition of a Construction Manager (CM) position. At the last meeting, the committee discussed the position and whether it would be appropriate to include. The current proposal under consideration would entail appointment of the Transit/Transportation position by the Washington State Transit Association

rather than the Governor. Sound Transit offered the proposal but members have not received information concerning the proposal.

Vice Chair Keith invited comments.

Don LaFord representing the Construction Management Association of America's local chapter in Seattle reported that construction management is a profession similar to engineering and architecture with a published set of standards. In addition, CMs are certified by the Construction Management Institute of Washington, D.C. similar to professional engineers and architects through experience and written examination. CMs are recertified every three years. Members of the local chapter believe a CM should serve on the Board because the position is tied closely to the alternative project delivery process. Feedback is vital for a quality process as CMs are in a good position to report to the Board about what is or is not working and offer ideas on improvements for alternative project delivery. He asked that the Reauthorization Committee consider adding a CM position to the Board to ensure the Board receives good input.

Chair Schacht noted for the record that architects and engineers are regulated by statute. The positions are licensed for performing professional design services that are substantially different than construction management, which is not regulated by state law.

Santosh Kuruvilla questioned the importance of adding a position representing construction management. For example, the Board does not subdivide engineering into electrical engineers or mechanical engineers, etc. Similarly, the Board does not designate specific types of architects, such as landscape versus Design Architects. Engineer and Architect positions on the Board represent the entire realm of positions. The construction management knowledge base is represented by General Contractors, as well as Engineers, as Engineers often perform construction management services. He is unsure whether he could appreciate the value of adding a CM position.

*Bill Frare left the meeting at 9:29 a.m.*

Mr. Thompson said he is open to the concept of adding the position because when he first joined the Board as a General Contractor representative, he understood the uniqueness of the Board as a forum whereby all stakeholders in the industry could work together. There would be benefits for adding representation. Additionally, he has never believed the decisions rendered by the Board were influenced by either public or private interests. He is less concerned about the balance of membership because of the desire to maintain equilibrium of private and public interests on the Board.

Janice Zahn remarked that she considers the request in the context of how CMs are embedded in the realm of the project. CMs provide many resources for school districts, ports, and for other interests represented on the Board. For those that work with contractors, general contractors are represented on the Board. Membership includes two private industry positions. The request to add another private industry position could be viewed as broadening representation rather than creating a seat specific to CMs as the CM profession is embedded in many of the positions currently represented on the Board.

Chair Schacht acknowledged the discussion and the time and recommended members and other stakeholders who feel strongly about any issue should contact the Chair and Vice Chair for guidance on the appropriate committee to contact.

Robynne Thaxton said discussion on the topic is scheduled on the committee's future meeting agendas. Committee members welcome input from all stakeholders on the issues of CM representation.

Vice Chair Keith added that the meeting schedule includes identification of each meeting's topics. The January meeting dates should be scheduled following confirmation with the GC/CM Committee to avoid conflicts in meeting dates. CPARB membership is a topic for the January meeting. The intent is to move to written proposals

by March. Members continue to discuss issues conceptually to identify some of the pressure points and pros and cons. However, at some point, proposals will need to be converted to written proposals for consideration by the committee.

The second issue on the matrix is CPARB's roles and responsibilities. The statute stipulates powers and duties. Duties have often been interpreted as actions the Board is supposed to pursue; however, there were some concerns as to whether the Board was to pursue data collection while many others believed the Board's action should help inform policy decisions. Previous interpretations of powers and duties have indicated it was an obligation by the Board to complete certain actions. The committee discussed changing "Powers and Duties" to "Authorities." The committee is working with DES to receive some feedback from the Code Reviser and the Assistant Attorney General (AGO). Members also tentatively agreed to add to the Board's authority to address the development of some legislative policies to encourage competition and enhance quality with a reference to best practices.

The issue of Project Review Committee (PRC) membership will flow from the proposal from Mechanical Contractors Association of Western Washington (MCAWW) proposal for PRC to approve the use of alternative procurement for EC/CM and MC/CM. The committee also discussed whether additional changes are necessary to the conflict interest provision in the PRC statute. The committee has not received any written proposals at this time. The MCAWW proposals are under review by the Reauthorization Committee and will be forwarded to the GC/CM Committee for review.

The issues of accountability of the Board and the PRC have been a focus of many conversations. Most of the conversations surrounded compliance by owners within the letter of the law but not within the spirit of the law and ways to address processes not properly followed relating to transparency, fairness, and best practices. CPARB is not a regulatory or enforcement body; however, the issue is how the Board addresses accountability, which has led to some individuals believing the sunset provisions of the statute and the reauthorization requirement could serve as that form of accountability. Those issues will be explored in-depth during the first quarter of 2020.

Vice Chair Keith added that the JLARC review process is not required automatically when the statute sunsets. The requirement is typically included in the language of the statute or it can be excluded. She suggested some further investigation on the necessity of including a JLARC review process, as it may not be necessary to include it.

When the Business Equity and Diverse Business Inclusion Committee was formed, initial efforts focused on a comprehensive review of 39.10 with a lens of equity. During the Design-Build statute review last year, the Board added some language to address concerns by minority business stakeholders. The intent was to increase transparency. The committee has been asked to review the statute as a whole. Additionally, Dan Seydel with the Platinum Group submitted proposals involving small businesses and the committee was tasked with a review of the proposals to provide input by March 2020.

The Reauthorization Committee approved some tentative statute changes recommended by the JOC Evaluation Subcommittee:

- Adding a definition of "*coefficient*" to RCW 39.10.210 to mean "*the job order contractor's competitively bid numerical factor applied to the prices as published in the unit price book, which at a minimum, includes overhead and profit.*" The committee is still modifying the definition.
- Agreed tentatively to amend definition for "*job order contract*" to reflect "*Job order contract means a contract in which the contractor agrees to a fixed period, indefinite quantity delivery order contract which provides for the use of ~~negotiated definitive~~ work orders for public works as defined in RCW 39.04.010.*"
- The committee did not support proposed changed from the Gordian Group to include "*negotiated work orders.*"
- Tentatively approved replacing reference to '*proposal price*' with '*proposal coefficient*' in RCW 39.10.430 (3)(f).

- Tentatively approved deleting reference to information about *'project'* in the solicitation/proposal – no specific project at that stage.
- The committee committed to working with the Gordian Group on several proposed changes to achieve some resolution. One proposal is conflict of interest language proposed by the Gordian Group. Members of the Reauthorization Committee and the JOC Evaluation Committee are concerned about including the provision in one section of RCW 39.10 when conflict of interest is embedded in other state and local agency statutes.
- The committee is reviewing the term *'bid'* within the statute as a whole as many associate *'bid'* with Design-Bid-Build low bid or sealed bids. The committee is examining options for uniformity of the term *'bid'*.
- Other unresolved questions involve bonding work, such as affording public owners the flexibility to bond the entire contract price, which is typically interpreted as a requirement in the statute or whether it would be possible to bond on a work order basis. The committee is examining how the issue might impact price proposal of the coefficient upfront.

Vice Chair Keith conveyed appreciation for the work completed by the other committees and for the efforts by members of the Reauthorization Committee.

Ms. Thaxton encouraged members to participate during committee meetings as the intent is forwarding recommendations to subject matter experts in each of the committees. The time for providing input is now as the schedule for all language changes and recommendations to the statute are due to the Board in May.

Irene Reyes conveyed some concerns about some of the input pertaining to supplier diversity as the Platinum Group does not fully represent minority small businesses. She expressed interest in becoming more involved. Vice Chair Keith offered to ensure she receives the meeting notices.

Mr. Kuruvilla said he appreciates that the topic of accountability was delegated to the Business Equity/Diverse Business Inclusion Committee to discuss for a recommendation. He also suggested the Board should pursue a broader discussion as the topic has consistently been addressed by the Board over the last several years with no appreciable outcome. The Board should determine its role in terms of accountability.

Chair Schacht responded that at some point, all issues would be reviewed and discussed by the Board. To assist the Board, the issues will be presented as a recommendation from the committees. Today, the statute is clear that the Board is a policy board. One of the committees was afforded limited authority for project approvals and/or to certify or recertify agencies. The statute is clear but the question is whether the Board believes more authority should be granted to the Board or to the PRC. The Board continues to grapple with requests to act beyond the Board or PRC's authority. Following the full set of recommendations from the committee, the Board's review would likely entail an extended meeting to thoroughly review and vet each of the issues to provide direction to the committee for finalizing a proposal.

Vice Chair Keith was asked whether the date and location of the next Reauthorization Committee has been established. Vice Chair Keith said the next meeting is scheduled in January with the location and date to be determined and posted on the website as soon as possible.

Janice Zahn inquired as to whether the agenda for the next several meetings of the Reauthorization Committee speaks to the role of PRC in terms of accountability as the Board and PRC roles are interrelated when the Board reviews roles, responsibilities, authority, and conflict of interest. Vice Chair Keith replied that during the initial meetings of the committee, members flushed out issues. The only issue that spoke to PRC's role was the issue addressed in MCAWW proposals. However, it is possible to address PRC as the accountability discussion is not intended to address only CPARB's role.

Mr. Thompson referred to Mr. Kuruvilla's comments and agreed the Board has discussed business equity and diverse business inclusion but has struggled in making any progress. He believes that through the Reauthorization Committee, there is an opportunity to delve more into the details.

Vice Chair Keith added that the committee is scheduled to discuss a variety of issues over the next several months to enable stakeholders to learn about other stakeholders concerns and issues, which will provide all members of the Board and all stakeholders with information on how to frame solutions. At some point, all proposals will need to be submitted as written proposals for further debate. She invited everyone to consider what is different about RCW 39.10 versus other statutes with respect to accountability issues.

Ms. Zahn suggested soliciting some guidance from the four elected legislators on the Board on some of the broader topics with respect to accountability, role, oversight, authority, and conflict of interest to assist the Board in moving in the right direction to secure legislative sponsors for any proposed legislation. Vice Chair Keith commented that from her perspective, member legislators are seeking input from the Board on the issues and the concerns of stakeholders. Member legislators always have an opportunity to share concerns or issues with the Board.

Chair Schacht affirmed that the Board has been asked to provide direction.

Representative Steele agreed that the Legislature relies on the Board for advisory opinions on issues that are important in the industry because legislators often do not have the ability to observe what is occurring in the industry and need additional eyes, as well as advice as legislators move to craft legislation.

Ms. Reyes asked Representative Steele whether his comments speak to the Board identifying accountability measurements and not just creating policies. Representative Steele said his comments were not specific to accountability in that fashion but in order for legislators to craft effective legislation, they will need to utilize the Board's expertise around the table.

Chair Schacht summarized the context of the discussion. The vast majority of public contracting for capital projects in the State of Washington is conducted under RCW 39.04, for which there is no accountability relative to any of the Board's current discussion. The opportunity provided to the Board is to take what are now extremely well-established procurement methods of JOC, GC/CM, and Design-Build and engage the entire industry from public owners to construction trades labor, design professionals, and contractors in a healthy dialogue about how to increase the benefits of those procurement methods. It can be demonstrated that the methods yield significant value to public owners and taxpayers. It is important for the Board to be prudent about the extent to which it is too difficult to use those methods creating a situation where everybody procures all projects using RCW 39.04. It is also important for the Board to have a broader perspective of what capital projects procurement is in the state.

#### **JOC Evaluation Committee – Information**

Tae-Hee Han, Chair, and Quinn Dolan, Vice Chair, updated members on the status of efforts by the committee. Most the committee's recent work was covered during the Reauthorization Committee report. Most of the issues before the committee are either of a technical aspect within the RCW, as well as some confusion as to whether some issues should be addressed by the RCW or more suitable to include in best practices. The committee has been tasked to develop a best practices manual for JOC. Efforts continue on that task. The next meeting is on December 18, 2019. The agenda includes discussion on bonding and whether it is practical to require bonding on each work order or more practical for the entire contract to be bonded.

Quinn Dolan added that changes have occurred to the membership of the committee tasked with reporting issues. The committee is evaluating the forms that are sent to public agencies and job contractors for providing input annually. The committee is striving to get on track for providing that data.

Vice Chair Keith asked about the status of the committee's efforts on best practices. Mr. Han replied that the meeting in January would revisit some of the outstanding issues discussed at the December meeting. Following those tasks, the committee can focus on best practices. Mr. Dolan said it is likely the committee would split efforts on both the best practices manual and the revised spreadsheet for data collection. Vice Chair Keith asked whether the prior discussions spoke to working with Municipal Research Services Center (MRSC) to outreach

public entities that potentially would use JOC. Mr. Han said the option was a one-time discussion on ways to outreach to public agencies new to JOC contracting. MRSC might be the best vehicle for that outreach as it could entail utilizing its database or subscribers for outreach. It is likely the committee will collaborate with MRSC.

### **GC/CM Committee – Information**

Nick Datz, Co-Chair, reported the committee has met nine times. The meetings have included robust conversations with a variety of stakeholders reviewing the statutes and how they affect all parties spanning owners, contractors, small businesses, and architects. All stakeholders have strived to attend the meetings. The entire statute has been reviewed. Members narrowed the scope to a number of topics and items for additional focus for potential legislative changes.

The committee's goals encompass reducing the prescriptiveness of the statute to the extent possible, ease the administration of using GC/CM, identify ways for earlier cost certainty to public owners; e.g., earlier timing and earlier transfer of risk, seeking ways to expand subcontractor participation, improving owner involvement in the process to ensure engagement by the owner from beginning to end, improvements in payments to the GC/CM and subcontractors, and improvements in transparency.

The committee's efforts have focused on several phases with the first phase completed of reviewing the entire statute to become familiar with how the legislation affects the industry and potential ways to accomplish some of the goals. Members identified a number of areas and are focused on producing some changes in legislation for debate early next year. Some changes include a better definition of contingencies and allowance for both owners and contractors and how they are utilized in the GC/CM process, clarifying the use of contingencies and allowances and whether they could be expanded to assist in earlier payments to subcontractors. Another issue pertains to change orders and the timely processing of change orders to avoid impacting the GC/CM and subcontractors unnecessarily. Cost components under GC/CM are complex and the intent is to clarify how the different 'buckets' are used and how they can be used, as well as expanding through the RFP process, the price components owners can evaluate when selecting a firm beyond just the general conditions and the fee. Another issue is auditing requirements under the statute and how owners can use auditing to their benefit to ensure costs are used appropriately. Transparency is a major issue and members examined the statute on public notifications and ensuring consistency with other provisions in the statute not just for the GC/CM but for the subcontractors as well. Examples include bid openings for sub-bid packages and the owner's involvement and information sharing on awards for sub packages and ways to open the process. Many of the items under the EC/CM and the MC/CM were proposed by MCAWW. Members spent one entire meeting discussing the proposal and anticipate continued review and development of a proposal early next year. The committee is examining evaluation factors similar to changes to the Design-Build statute last year in terms of what is required from the GC/CM and what is actually required from a GC/CM contractor as far as experience, small business utilization, qualifications to perform the work, as well as potentially expanding the evaluation factors to promote participation by more companies to increase competition. Evaluation factors for the EC/CM and the MC/CM are also under review as well.

To increase small business utilization, members are examining ways to use evaluation factors during GC/CM, EC/CM, and MC/CM procurements and during subcontractor buyout. Mr. Seydel attended the last meeting and was asked to address some issues and seek assistance from the Business Equity/Diverse Business Inclusion Committee. The committees are coordinating that work. The goal is increasing involvement by the owners with the subcontractors. When the GC/CM pursues sub packages, it is important that the owner is involved and is managing the process to increase more transparency.

Members are also exploring ways to clarify heavy civil legislation by reorganization or consolidating provisions rather than provisions that are located throughout the statute. Another area of focus is general cleanup of statute language to ensure the GC/CM statute terminology is consistent in Design-Build and JOC statutes.

Mr. Datz reported phase 2 will begin in January with a number of members of the committee leading efforts to draft some language changes. The committee will debate proposed language with a goal to forward all the proposed updates to the statute to the Reauthorization Committee by March.

Phase 3 efforts will focus on best practices. During reviews over the last several months, members have identified areas for further clarification relating to best practices to ensure the entire industry has the same understanding and can benefit from using the GC/CM statute.

Mr. Datz requested the Board's consideration to replace Joaquin Hernandez with John Palewicz, who has extensive experience with GC/CM and Design-Build. Mr. Palewicz has served on a number of CPARB committees as well as serving as a member of PRC. Mr. Palewicz has attended and participated in most of the committee's meetings and is prepared to assist the committee in drafting legislative changes.

***Andrew Thompson moved, seconded by Rebecca Keith, to appoint John Palewicz to the GC/CM Committee representing the private sector to fill the vacant position previously occupied by Joaquin Hernandez.***

Chair Schacht reported Mr. Hernandez was a member of the Board for four years. Mr. Hernandez had volunteered to serve on the GC/CM Committee but was subsequently unable to attend meetings because of schedule conflicts. John Palewicz is an architect and was the Director of the Capital Projects Office at the University of Washington for many years. Mr. Palewicz was involved in early efforts to establish the GC/CM statute and the previous reauthorization because of an issue related to the lack of competitiveness at the University of Washington. He spearheaded contractor concerns and helped open competition at the University. Mr. Palewicz is a fair and knowledgeable participant and is on the faculty of the AGA Education Foundation, which sponsors the GC/CM workshops. Mr. Palewicz retired from the University of Washington and is engaged in some consulting and contributes to workshops for DES.

*Lisa van der Lugt joined the meeting by telecon at approximately 10:15 a.m. Mike Shinn and Mathew Hepner were no longer participating by telecon.*

***Motion carried unanimously.***

Chair Schacht reported the GC/CM Committee drafted a two-page list of all issues under review and the status. He asked Mr. Datz to submit the list in the future as a pre-read to assist the Board in tracking conversations.

Mr. Datz updated the Board on the schedule of meetings. All meetings are open to the public. Previous meeting agendas and minutes are posted on CPARB's website.

Mr. Thompson thanked Representative Steele for participating in the meeting and cited the efforts of the GC/CM Committee and the anticipated depth of proposed legislative changes to help increase competition for general contractors and subcontractors. Members of the committee are committed to reach out to elected members of the Board to provide an update on the status of proposed changes as the process proceeds to finalizing some legislative changes.

Ms. Zahn expressed appreciation to Mr. Datz and Scott Middleton for their organized efforts and for establishing goals to enable the Board to track progress on the issues. It is likely GC/CM proposals would have the most edits because over time, GC/CM has been layered with many prescriptive requirements that have begun to create some issues in the industry. She suggested allocating sufficient time for the committee to work through the process because of the number of issues.

#### **Business Equity/Diverse Business Inclusion Committee – Information**

Chair Schacht reported the committee did not meet in December because of work constraints of the Chair and Co-Chair. The committee is scheduled to meet in January to continue the review of issues for forming a recommendation by March. Following the November meeting, members acknowledged three tasks for completion to fulfill the committee's responsibility to the Reauthorization Committee. The first task completed was a thorough review of RCW 39.10 to seek consistency in language for diverse business inclusion. When the statute was last updated with the passage of HB 1295 during the last session, significant changes were included to



the language specific to diverse business inclusion and utilization of women, minority, and veteran-owned businesses and small businesses relative to Design-Build. Similar changes were made to JOC provisions in the statute. However, no changes were pursued for GC/CM provisions at that time. The committee prepared a document which will be forwarded to the GC/CM Committee for its review and for incorporation within the list of changes to the statute.

The second task pertained to the question of the Board's role and its purpose. That entailed members reviewing CPARB and PRC's role relative to business equity and diverse business inclusion. The broad discussion included a commitment by the Chair and Co-Chair to document information as to where those issues reside in terms of statute language and agencies in general because the OMWBE has an increasing focus on and authority to improve business equity in the State of Washington. Additionally, the Department of Labor Industries (L&I) has been represented regularly at Board meetings for over a year and has assisted the Board in understanding how L&I is engaged in the issue and is responsible for data collection. To help members understand what is required to create a better environment for business equity, it is important to understand where the Board fits into the broader landscape of public agencies tasked with pursuing equity. Once the committee can provide a report on that issue, the Board will be a better position to determine what CPARB should or should not do.

Finally, the last task is the best practices review of all three procurement methods. The goal is to provide best practices for three procurement methods. Design-Build best practices include a chapter on business equity and diverse business inclusion under *Encouraging Competition*. The chapter is addressed to public owners and design builders. The chapter is part of the curriculum in the biannual AGC Education Foundation workshop. The intent is for the GC/CM workshop to adopt the chapter and apply the principles to GC/CM. Mr. Frare and Rex Brown with OMWBE have been asked to review the 14 recommendations in the Disparity Study from a best practices perspective to improve the business environment and conditions for business equity and report to the Board on which of the 14 recommendations might be applicable to coordinate with the Board's best practices efforts.

Ms. van der Lugt advised that she would follow-up with Mr. Brown next week on his meeting with Mr. Frare to provide the Board with an update. Additionally, Elisa Young, who has been an important OMWBE liaison with the Board, is leaving OMWBE to accept a position with the City of Seattle in January. While she is disappointed, the opportunity will benefit Ms. Young and it will provide a direct connection with the City of Seattle as the agency has been working to improve collaboration with public agencies. OMWBE will be hiring to replace the position over the next several months.

Mr. Kuruvilla asked the committee to consider recent experiences by some of the smaller design engineering firms experiencing late payments for alternative delivery procurements. He encouraged the committee to review the issue because it's a hardship that smaller firms face for alternative delivery projects.

Vice Chair Keith asked whether the problem is inherent in all three delivery methods or just Design-Build. Mr. Kuruvilla said that based on his perspective without a supporting poll, his experience reflects problems with Design-Build procurements rather than GC/CM.

Ms. Reyes shared that she is a member of the Board of the National Association of Minority Contractors and often receives feedback about problems concerning prompt payments. Many of the complaints involve GC/CM procurements as well. Some payments can often take up to 90 days, which is detrimental to a small business.

Mr. Thompson recommended also considering the recommendations included in the Department of Transportation's 2017 Disparity Study from a best practices perspective. Ms. van der Lugt confirmed that the committee is also reviewing the WSDOT's study.

#### **Data Collection Implementation Committee– *Information***

Aleanna Kondelis, Co-Chair, briefed members on activities of the Data Collection Implementation Committee. The committee has not met since the last report. Next steps include continuing collection of data from PRC through the end of the current calendar year. Early next year, the committee will draft a summary of observations

and recommendations based on data and how it was documented in the GC/CM applications. The committee is committed to preparing a draft response to JLARC recommendation #3 for the Board's review during the first quarter of 2020 and continue to investigate and flush out other means and opportunities to collect project data through L&I and OMWBE.

#### **Education Committee – Information**

Chair Schacht advised members that Mr. McCormick encountered vehicle problems and was unable to attend the meeting. The April CPARB meeting has been included on the meeting calendar with a tentative location at DES. He has received feedback from several people in the industry following a conversation with Mr. McCormick about the April meeting. One contractor offered a suggestion of presenting project topics instead of presentations on specific projects.

Ms. Zahn suggested the Board should consider appointments to the committee as many of the current members have retired or moved on to other positions. Chair Schacht advised that he would defer to the Co-Chair to offer some appointment recommendations.

#### **Board Development Committee – Information**

##### ***By Laws Revision***

Chair Schacht reported the Board's election of officers is scheduled in May as the two-year terms of current officers expire in May 2020. The Board discussed a rotating succession where the Vice Chair automatically assumes the Chair with the Board appointing a private sector Vice Chair. The committee is responsible for making a recommendation. He plans to follow up with Mr. Frare about providing more information to the Board in February and reviewing a process to identify candidates. Secondly, he and Vice Chair Keith suggested revisions to the bylaws; however, because of not satisfying the public notification statutory requirement the item is an informational update.

Vice Chair Keith said she has since questioned the need for a change in the bylaws. The issue is that the CPARB bylaws stipulate election of officers for a two-term in even years in May. The custom in the past was immediately seating officers after the election in May. The bylaws do not include any provisions addressing the practice and therefore changing the effective date of the terms would likely not require any changes to the bylaws. Chair Schacht suggested that implementing a new process is a procedural matter. Additionally, during the reauthorization process, it would be preferable to move the term of office to an odd year to afford the incumbent Chair and Vice Chair to remain in office during the two-year process of reauthorization.

Ms. Zahn noted that Bob Maruska, as the assigned Co-Chair, is no longer a member of the Board and the Board should consider appointing a new Co-Chair. The committee has not formally met since its formation. She suggested the committee should establish some goals or some timelines for the Board if bylaw changes are anticipated.

Vice Chair Keith noted that any changes to the bylaws require publication of the proposed language as part of the required public notice for the meeting.

Chair Schacht recommended the Board vote on the process in February prior to officer elections in May. He noted he would update Mr. Frare on the proposal. The Board created the additional committees as part of strategic planning effort approximately 18 months ago. The Board Development Committee was established to develop materials for Board member orientation, which has not occurred because of the lack of time and conflicts with work. He envisions launching the Board Development Committee during the process of identifying candidates for Chair and Vice Chair.

Ms. Zahn shared that Mr. Maruska is planning to retire in early 2020 and any feedback needs to be done as soon as possible. It is important to clarify what output should be released by the committee as the committee has not had an opportunity to meet.

*Chair Schacht recessed the meeting from 10:48 a.m. to 11:02 a.m. for a break.*

*Representative Steele and Lisa van der Lugt confirmed their participation by telecon.*

#### **NEW BUSINESS**

##### **2020 Legislative Session – Potential Legislation**

Chair Schacht invited Representative Steele to share any information on legislation of interest with the Board. There was no response from Representative Steele. Vice Chair Keith mentioned that there are several bills previously mentioned by Mr. Frare. There appeared to be general agreement that if any individual had any particular concerns with any legislation that the individual or parties would share those concerns and/or any advocacy requests with the Board.

Ms. Zahn reported that at the October meeting the Board discussed the bill pertaining to subcontractor listing. The Board discussed options but did not arrive at any conclusion. Vice Chair Keith recalled that the Board encouraged individuals or agencies that wanted the Board to render a position to attend a meeting and share information.

Ms. Deakins affirmed that for other than the Board's conversation, there was no other action by the Board.

Chair Schacht reminded members that any position rendered by the Board on any bill would need to occur during the meeting because of the short legislative session. The next meeting in February would not afford sufficient time for advocacy of any legislation. He asked for feedback on any bills the Board should consider.

Mr. Thompson said the contractor listing bill would likely be considered during the 2020 session and the Board should spend some time discussing the proposal.

Chair Schacht asked whether any member believes the Board should take a position on the bill, and if so, what should that position be as a Board.

***Andrew Thompson moved, seconded by Bill Dobyms, to consider House Bill 1571/ Senate Bill 5457 if reintroduced during the 2020 legislative session and engage in a discussion and render a position opposing the bills.***

Chair Schacht described the intent of the bills. The legislation would require general contractors to list all subcontractors at the time they submit a bid for a project. The bills affect RCW 39.04. The Board's major obligation is RCW 39.10. However, the Board's authority and responsibility in RCW 39.10 directs the Board to consider all capital projects. The proposed bills would not apply to Job Order Contracting or Design-Build. The question is whether the proposal would apply to GC/CM.

Mr. Dobyms said that the application to GC/CM is why he would like the Board to address the legislation. He does not believe the proposed legislation would apply to GC/CM because at the time of a bid submittal by the GC/CM, no subcontractors are involved.

Chair Schacht said the GC/CM has the option of bidding all elements of the work separately, bidding elements in packages, or bidding the entire package. In the instance of the GC/CM bidding the entire package, the issue is whether the GC/CM would be required to publish a list of subcontractors at the time the bids were received.

Mr. Thompson responded that the example is the reason why he opposes the legislation because in a Heavy Civil GC/CM project, there is the potential of subcontractors included within the bid, which adds another element of confusion to any potential protest.

Vice Chair Keith asked whether any legal opinion has been sought on whether the legislation applies to GC/CM. Mr. Dobyms replied that RCW 39.04 by reference includes RCW 39.10 and all procurement is required to comply with RCW 39.04 for any public procurement.

Mr. Thompson added that the threshold for any public project is over \$1 million. Vice Chair Keith said RCW 39.04 speaks to public owners, which do not bid on GC/CM packages. Mr. Andrews responded that those are some of the reasons why the proposed legislation is confusing as someone could step forward and protest.

Chair Schacht recommended the Board consider discussing the motion as offered and debate the merits and agree to an outcome. If the Board elects not to oppose the measure in its entirety, the Board could consider a second motion of a more targeted goal excluding projects procured under RCW 39.10 from the proposed legislation. The Board's has two options of one that is more tightly prescribed within the Board's purview or an option that all procurement under RCW 39.10 would be excluded from the statute. He asked for feedback on the motion to oppose the proposed legislation in its entirety.

Vice Chair Keith commented that labor representatives are not in attendance and the Board is lacking a fully-fleshed rationale. CPARB could convey concerns and investigate the proposal. She has concerns and suspects the motion was offered as a way for the Board to discuss the proposal.

Mr. Thompson clarified that out of respect for members and other participants not in attendance, he would like to ensure they are part of the conversation because they are an important part of the discussion.

Chair Schacht pointed out that the only way the Board could be effective in advocating a position is by scheduling a special meeting because the February meeting would be too late to advocate for or against proposed legislation.

Ms. Reyes noted the first reading of the bills is on January 21, 2020.

Chair Schacht pointed out that at the end of the discussion, should CPARB decide to advocate one way or the other for the legislation it would be the responsibility of the Chair to pursue advocacy of the Board's position.

Ms. Deakins added that the Policy Committee cut-off for house of origin is February 6, 2020.

Chair Schacht acknowledged that as the Chair, he understands there are very strong proponents of the proposal in both the House and Senate Democratic Caucus. As a representative for architects, it is important when the Board renders an advocacy position to identify the target of the advocacy. The first step should involve members conducting some homework in order to render a position, and then meet with all legislators, and then meet as a Board to take action. If those steps are of interest to members, then the Chair and the Vice Chair would need to receive some support and assistance from members without forming another committee and potentially schedule a special meeting in January. The question is whether the Board is interested in investing a substantial amount of effort in scheduling a conversation.

Ms. Thaxton inquired about any knowledge the Board might have about the level of support by the Legislature for the bill. Chair Schacht said he is aware that during the upcoming session, there is strong support for the bill by the Democratic Caucus.

Mr. Thompson noted that during the last session, Mr. Frare shared that as a DES representative he was asked to take an agnostic position on the proposed bill, which changes the equation to some extent and indicates the need for the Board to spend some time discussing the proposal. Should the Board meet in January there could be other bills that might benefit from the Board's review. He recommended limiting reviews to those re-emerging from previous bills.

Ms. Kondelis shared that she meets regularly with the University of Washington's legislative representatives and it is rare for legislators to ask her to share an opinion about a specific bill. However, this bill was addressed

during the last meeting with legislators as they indicated they had been contacted to determine the University's position on the bill. It speaks to the Chair's comments that there is heightened awareness of the bill and that the bill will probably move forward.

Chair Schacht asked about the University's position with respect to the proposed legislation. Ms. Kondelis responded that if she was to be designated to advocate for the University's position, the University would oppose the proposed legislation.

Ms. Mooseker commented that given the lack of timing and a full discussion with all members and the different perspectives, many of the member's constituents may view the bill differently and might have a different position. She would like to avoid putting the Board in a situation that would preclude that process. She recommended the Board focus on the applicability of the proposal to CPARB and RCW 39.10.

Mr. Dobyms inquired about the possibility of refraining from any action and enabling the bill to follow its legislative course. If adopted, the Board could discuss and attain a consensus position that would be included in language within the reauthorization bill to preclude the legislation from RCW 39.10 rather than advocating for a particular position at this time. Chair Schacht said the option is likely a "maybe" because the question is whether the bill would be a subset of another statute or a new statute. Ms. Deakins advised that the bill would revise RCW 39.30.

Chair Schacht asked about the AGC's position on the proposed bill.

Jerry Vanderwood, Associated General Contractors (AGC), said the organization opposes the bill.

Ms. Zahn said the Board spends much time discussing ways to encourage competition. Within the Business Equity and Business Inclusion Committee, members have reviewed RCW 39.04, which is the low-bid statute. It appears that from that lens, some of the concerns have been generated that if the requirement is imposed at the time of bid (closure) it could potentially create some unintended consequences that the Board should discuss. Whether the Board renders a position or identifies some of those concerns that apply broadly within the industry, the Board is the appropriate venue to vet the proposal and a special meeting would be warranted.

Vice Chair Keith commented on the motion on the table. Options the Board could consider are withdrawal of the motion, amending the motion, or calling the question. She is concerned that should the motion move forward she would need to oppose the legislation but does not want her vote to be construed that she does not have concerns with respect to other stakeholder positions.

Chair Schacht suggested the makers of the motion consider withdrawing the motion and introducing a new motion. Future efforts will require several members to complete some research and ascertain the political implications with all members following up with their respective stakeholders to receive input, as well as participating in a special meeting in January with a single agenda topic with representatives from both sides of the issue attending and presenting their respective positions. He asked staff whether it would be possible for the Attorney General's Office to provide an informal opinion as to whether the proposed language does or does not influence RCW 39.10. Ms. Deakins replied that an opinion likely could be provided; however, she is unsure as to the timing.

Chair Schacht outlined the process:

- All members query their respective stakeholders
- The Board should receive feedback from a broad group of people
- Encourage all four legislative members to attend the special meeting

Chair Schacht added that the effort would intersect with the process of considering new reauthorization as the Board has a limited number of members who complete the heavy lifting on most issues before the Board. The architects are opposed to the measure. All those factors must be considered.

Ms. van der Lugt agreed on the importance of all members attending and participating in the discussion. She encouraged the Board to consider a way to reach out to member legislators if they are unable to attend the special meeting to provide them with the information and receive their feedback to ensure all members have had an opportunity to provide input.

***Mr. Thompson and Mr. Dobyms withdrew their motion.***

Discussion ensued on the ability for some members to pursue the additional research and the Board's active work as a body for any position on a bill. Vice Chair Keith asked whether the Board has ever pursued the option of forwarding comments without stating a particular position on a bill but expressing concerns about unintended consequences. Ms. Deakins affirmed the Board has previously conveyed a letter to the Legislature recommending more stakeholder vetting rather than advocating for a particular bill.

Chair Schacht agreed that the Board could draft a letter stating the bill requires more input. However, in the past that course of action generally involved issues relative to RCW 39.10 and not issues outside of RCW 39.10. Ms. Deakins said the Board has weighed in on a number of issues. Another option is engaging more in the reauthorization discussion on a broader set of policy issues whereby if a bill would substantially change public works procurement, the sponsor should present the proposal to CPARB first. Bringing the industry together at the Board is a matter of time and energy and the issue is whether it could be pursued during the reauthorization work. Beyond the letter, other steps include members attending public hearings at the House and Senate, or attending and speaking during the hearings, or visiting with key stakeholders. The level of engagement has an extensive range.

***Walter Schacht moved, seconded by Andrew Thompson, to direct the Chair with assistance from Mr. Thompson to explore scheduling a meeting during the first or second week in January 2020, ascertain how to ensure all members attend, invite advocates for and against the bill to attend and share their respective concerns or support, request DES determine if budget support could be extended for the special meeting, and request DES contact the Attorney General's Office to seek an informal opinion either in writing or by attending the special meeting on whether the provisions of the bill have any impact on capital procurement as defined in RCW 39.10.***

Mr. Vanderwood, AGC, expressed appreciation for the willingness of the Board to schedule a meeting. However, the question is whether the Board supports or opposes the bill or could the discussion encompass the Board's position that perhaps there could be another route to pursue. If for instance the bill did not impact RCW 39.10, the question is whether the Board would render an opinion on the bill and what that opinion would represent.

Chair Schacht said the Board is not in a position at this time to determine the outcome of the discussion. The Board will seek perspectives from multiple stakeholders and then consider options.

***Motion carried unanimously.***

**ADMINISTRATIVE**

**CPARB Budget Report – Information**

Nancy Deakins advised that the budget report and the analysis were not published on the website prior to the meeting. However, the budget represents a snapshot in time through October 2019 reflecting that the Board is operating at a deficit with funding supplemented by E&AS of approximately \$300,000 during the biennium.

Mr. Thompson commented that it is the Board's responsibility for the budget, and if underfunded, it would be important to discuss the issue with the Board's four elected representatives on measures to pursue to ensure the Board is adequately funded.

Chair Schacht replied that a new biennial budget will be introduced during the 2020 legislative session and that Board leadership should pursue a conversation with DES staff on next steps for advocating for more direct funding for the Board. He acknowledged the Board's appreciation to DES for supporting the Board both financially and with staffing resources.

### **SHB 5418 Updates – Information**

Ms. Deakins reported the Senate Local Government Committee received a presentation from MRSC and DES on the public works process on September 13, 2019. Based on current information, MRSC is on schedule to complete the study and report on small contracting in time to meet the Legislature's November 2020 deadline. The report will be presented to the Board for review and approval prior to forwarding to the Legislature.

### **Project Review Committee – Information**

Jim Dugan, PRC Chair, Project Review Committee, reported on activities of the committee.

The PRC considered one Progressive Design-Build project application at the December 5, 2019 meeting for the City of Richland's Fire Station 73 and 75 project. The PRC unanimously approved the application. At least five project applications have been received for the January meeting. The trend appears to be moving toward Design-Build applications, specifically Progressive Design-Build.

Mr. Dugan recounted some personal experiences with public owners, many of whom do not thoroughly understand the alternative delivery statute but are attempting to determine the first step. Today, because of the Board and PRC, it is possible to use best practices to teach and train public owners. He recently met with members from North Mason County Fire District who want to pursue an alternative delivery procurement project for the district but are unsure how to start after reading RCW 39.10. Many agencies are struggling with terminology, acronyms in the industry and in the statute, steps within the RFP bid opening for the GC/CM process, and the broadness and the breadth of alternative delivery versus the prescriptive standard bid process.

As the Chair of the PRC, he is often asked about the status of P3 and whether it might be possible that some of the alternative delivery tools might not be reauthorized. Many are concerned that the standard bid process will be the only option available. An example of the importance of alternative delivery is the successful completion of three side-by-side projects completed concurrently for one client for three elementary schools under one program with one contractor and subcontractors with each school delivered separately by GC/CM, Progressive Design-Build, and Design-Bid-Build. The first school was completed using Design-Bid-Build and was nine months late at a cost increase of \$4 million over its \$25 million budget. The GC/CM project with a \$320 square foot budget opened on time and within budget. The Progressive Design-Build project cost \$291 per square foot. The bond funding the projects was passed in 2013 at \$285 per square foot. When the tools are used correctly, amazing results occur. The School District with the successful 2013-2015 bond budgets is committed to satisfying bond commitments made five years ago and can no longer afford to compete in today's bid market and are fearful that the tools of alternative delivery might no longer be available.

Chair Schacht queried several members of the GC/CM Committee as to whether the committee is discussing the confusing aspects of RCW 39.10 and the use of the term, 'maximum allowable construction costs' (MACC), which for a Design-Bid-Build project is the construction contract signed between the public owner and the general contractor. However, for GC/CM, the MACC it is the total of the direct subcontractor costs, which is problematic and should be resolved as it is confusing to the industry.

Ms. Zahn confirmed that as a member of the committee, the issue has been discussed to ensure the definition is aligned to provide clarity in terms of how each bucket is counted. Chair Schacht asked whether the committee has considered no longer referring to the sum total of the subtrade cost as the MACC because it means something

different in the GC/CM contract and in the Design-Bid-Build contract. He asked the committee to consider the issue because one term with a different meaning for two different delivery methods should be avoided.

Mr. Dugan questioned the difference between a 'Project Manager' and a 'Construction Manager' as both are used interchangeably in the industry. Half of the industry interprets a Project Manager as overseeing the project from conception to completion of which it could potentially include a 'Construction Manager' who manages the construction phase. However, the definition of a 'Construction Manager' as depicted in the statute, speaks to the position as a 'Project Manager' overseeing the project from conception to completion. The terms are used interchangeably in many of the documents. New applicants to alternative delivery methods are confused by the terminology.

Mr. Thompson inquired about the extent of public comment offered during the PRC panel reviews of an application. Mr. Dugan replied that public comment is not offered frequently; however, when public comments are offered they are typically from a builder or a design team of another owner familiar with the project team and its past performance. It is very rare to receive a public comment from an individual who is not familiar with the owner or the project team. Mr. Thompson asked whether there has ever been an instance where a public comment was in opposition to the public agency. Mr. Dugan advised that during his first year of service, one individual testified in opposition to the applicant. Mr. Thompson offered that the example represents the only way to receive feedback within the process is when someone considers lessons learned for a project that did not end well. Otherwise, it only involves discussions on the street. Mr. Dugan added that members of the PRC are active contractually with a wide variety of projects. When a project has experienced problems, all PRC members are familiar with that specific project team. Because of that knowledge, when that specific applicant submits another project application, members ask the owner and the team to explain how the project encountered so many problems and how it is relevant to the new project proposal.

Ms. Zahn spoke to an outstanding issue where an applicant's team from Spokane was unable to attend the PRC project presentation because of a cancellation of an airline flight. Members debated whether it would be possible to consider the application without a presentation from the project team. She asked whether the PRC had resolved the issue. Mr. Dugan said the incident was the first instance where the applicant was unable to attend to present. Members understand that a project presentation is not required and that it is incumbent upon the applicant to determine whether it would be in its best interest to either present the application by teleconference or to defer to the PRC to discuss the application and render a decision. However, in his opinion, there is a loss of interaction between the panel and the applicant.

Mr. Kuruvilla asked about the percentage of Design-Build applications pursuing Progressive Design-Build. Mr. Dugan said the number has steadily increased. It was noted that 12 Progressive Design-Build projects have been completed since 2013. Mr. Dugan reported in 2017, the PRC approved the first K-12 Progressive Design-Build project application.

Chair Schacht recommended Mr. Kuruvilla speak to Mr. McCormick about the April special meeting to review some of the questions by theme rather than by project because the University of Washington is pursuing some Super Progressive Design-Build projects where the design-builder is selected first followed by the separate selection of the architect.

#### **DRAFT AGENDA for Thursday, February 13, 2020 – Action**

Chair Schacht reviewed the proposed agenda:

- Regular Committee Updates:
  - Reauthorization Committee
  - JOC Evaluation Committee
  - GC/CM Committee
  - Business Equity/Diverse Business Inclusion
  - Data Collection Implementation
  - Education



- Board Development
- Project Review Committee
- Legislative Update
- Budget Report
- SHB 5418 Update

Ms. Kondelis was asked to forward the Critical Patient Care Roster Report from the University of Washington to DES for posting on the website. Chair Schacht asked members to review the report and contact leadership if a presentation on the report should be included on a future agenda.

Mr. Thompson asked about the possibility of receiving a report on attendance of Board members during the year. Chair Schacht affirmed that a report could be provided as attendance has been problematic and has been tracked. One Board member resigned (Greg Fuller) because of difficulty of not meeting the statutory requirement to participate. Mr. Fuller retired and lives in another country. The state's Boards and Commission website has not been updated. The website also lists one of the Board's positions twice and retains Mr. Hernandez's name while Ms. Thaxton was appointed to fill the position. Charles Horn has continued to serve for many years but never reapplied for membership and was not appointed to serve a second term. An appointment to replace Mr. Horn is pending.

Ms. Zahn recommended the Board should receive a year-end PRC report on the number of projects approved and the delivery method, as well as the dollar value. Ms. Deakins noted the committee's statistics and project information are posted online.

**ADJOURNMENT - Action**

***Andrew Thompson moved, seconded by Walter Schacht, to adjourn the meeting at 12:13 p.m.  
Motion carried unanimously.***

**STAFF & GUESTS**

Jean Burns, Department of Health (*Telecon*)

Marla Coles, King County

Nick Datz, Sound Transit

Nancy Deakins, Department of Enterprise Services

Matt Dermot, Cascade Water Alliance

Quinn Dolan, Centennial Construction

Jim Dugan, Parametrix/PRC

Valerie Gow, Puget Sound Meeting Services

Tae-Tee Han, Sound Transit

Janet Jansen, Department of Enterprise Services

Jim Kaltenbaugh, Department of Labor & Industries

Aleanna Kondelis, University of Washington

Don LaFord, CMAA

Art McCluskey, Washington State Dept. of Transportation

Shannon Pitts, Department of Enterprise Services

Shari Reiter-Johnson, Department of Labor & Industries

Jerry Vanderwood, Associated General Contractors

Melissa Van Gorkom, WA State Legislature – SCS