

Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: 1/26/2024  
 Public Agency: Kennewick Public Facilities District (KPFD)  
 Project Name: Three Rivers Convention Center Expansion  
 PRC Member: Eza Agoes

Approved \_\_\_\_\_  
 Denied   x  

**Project Evaluation Criteria**  
**Design-Build - Progressive**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

	Pass	Fail
A. Provides substantial fiscal benefit or traditional delivery method is not practical.	x	
B. Project meets qualifying criteria under RCW 39.10.300. Public bodies may utilize the DB procedure for public works projects in which the total project cost is over two million dollars and where: <i>(Pass if meets 1 of 3)</i>	x	
1. The construction activities are highly specialized, and a DB approach is critical in developing the construction methodology; or	x	
2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or		x
3. Significant savings in project delivery time would be realized.	x	
C. Public Body has necessary experience or team: <i>(must meet all 6 to pass; 1 fail fails all)</i>		x
1. Project delivery knowledge and experience;		x
2. Sufficient contract administration personnel with construction experience;	x	
3. Written management plan with clear & logical lines of authority;		x
4. Necessary & appropriate funding and time to carry out the project;	x	
5. Continuity of project management team with project type & scope experience;	x	
6. Necessary and appropriate construction budget.	x	
D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.		x
E. Public Body has resolved any audit findings relative to previous projects.	x	

*(Note: Per the response to the application, "There are no known audit findings.")*

**Overall Evaluation by Committee/Panel Member**

Reason for Determination:

Based on my review of KPFD's application, presentation, and Q&A, PDB is not the appropriate alternative delivery method to be used for the proposed project due to the applicant's approach to the DB procurement process. It was clear to me that KPFD, as the owner of the project, had a very strong desire to have ALSC be the firm completing the design from the beginning. Throughout the PRC vetting process, the owner exclusively complimented ALSC's performance, based on the multiple years they have worked together in the past. Although KPFD mentioned during the presentation that design-build bidders could bring whichever architect teams they'd like for their proposed team, and assured they would fairly evaluate all of the design-build proposals (whether or not they include ALSC in the makeup of the team), I highly doubt KPFD can be impartial and fair in evaluating those proposals without bias toward ALSC.

KPFD has given ALSC an unfair advantage as they have essentially advertised ALSC to the bidding community. Other design partners who may partner with the DB firms and don't plan to team up with ALSC, would already be at a disadvantage. By now, KPFD has compromised a fair contract procurement plan as they have created an unlevel playing field for the bidders.

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**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Additionally, KPFD mentioned that they have not envisioned or plan to envision, contractual negotiation between ALSC and the selected design-builder. I see this as KPFD's lack of effort to make sure the playing field is level for the design-build contract procurement. The only thing they plan to ask as part of the Request for Proposal (RFP) that relates to the working relationship between the design-builder and the architect, is a draft for Teaming Agreement. Which would be from the design-build proposers to give KPFD an idea how the design-builders plan to collaborate with ALSC. To me, this is only a part of the contractual relationship. The commercial aspect of the relationship is as critically important but has been neglected. When I asked KPFD if they had plans to provide any specifics in the RFP regarding allocation of risks associated with design errors and omissions, KPFD said no and that they intentionally did not want to be in the middle of it.

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Observations/Concerns:

I am concern that the design-build contract procurement approach as proposed by KPFD, if allowed, can compromise fair competition, and undermine integrity of the design-build industry in the long run.

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Eza Agoes  Digitally signed by  
Eza Agoes  
Date: 2024.01.29  
09:26:53-08'00'

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*Signature*



Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: 01/26/24  
 Public Agency: Kennewick Public Facilities District  
 Project Name: Three Rivers Convention Center Expansion  
 PRC Member: Timothy Buckley, Private Sector Representative

Approved X  
 Denied \_\_\_\_\_

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

	Pass	Fail
A. Provides substantial fiscal benefit or traditional delivery method is not practical.	X	
B. Project meets qualifying criteria under RCW 39.10.300. Public bodies may utilize the DB procedure for public works projects in which the total project cost is over two million dollars and where: <i>(Pass if meets 1 of 3)</i>	X	
1. The construction activities are highly specialized, and a DB approach is critical in developing the construction methodology; or	X	
2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or	X	
3. Significant savings in project delivery time would be realized.	X	
C. Public Body has necessary experience or team: <i>(must meet all 6 to pass; 1 fail fails all)</i>	X	
1. Project delivery knowledge and experience;	X	
2. Sufficient contract administration personnel with construction experience;	X	
3. Written management plan with clear & logical lines of authority;	X	
4. Necessary & appropriate funding and time to carry out the project;	X	
5. Continuity of project management team with project type & scope experience;	X	
6. Necessary and appropriate construction budget.	X	
D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.	X	
E. Public Body has resolved any audit findings relative to previous projects.	X	


**Overall Evaluation by Committee/Panel Member**

Reason for Determination:

Concerns with the Public Body delivery experience, and zero experience from the Public Body and Consultants with this specifically unique approach to the DB team selection. However, application meets the strict letter of the RCW.

Observations/Concerns:

Significant Public Testimony both for, and against. Concerns from DBIA reps centered on the intention to assign the architect to the successful DB entity, and the presentation "pivot" to "allow the DB entity to choose use their pre-determined preferred Architect, or not" (as if any contractor would believe that). Is contrary to the DB Best Practices guide, and is not one of the three industry accepted forms of DB). However as it is not a requirement clearly defined in the RCW, I felt this issue is outside the purview of the PRC and was excluded from my evaluation.

Signature 

Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: January 26, 2024  
 Public Agency: Kennewick Public Facilities District  
 Project Name: Three Rivers Convention Center Expansion  
 PRC Member: Jessica Murphy

Approved \_\_\_\_\_  
 Denied   x  

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

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A. Provides substantial fiscal benefit or traditional delivery method is not practical.	x	
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2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or		
3. Significant savings in project delivery time would be realized.	x	
C. Public Body has necessary experience or team: <i>(must meet all 6 to pass; 1 fail fails all)</i>		
1. Project delivery knowledge and experience;		x
2. Sufficient contract administration personnel with construction experience;		x
3. Written management plan with clear & logical lines of authority;	x	
4. Necessary & appropriate funding and time to carry out the project;	x	
5. Continuity of project management team with project type & scope experience;	x	
6. Necessary and appropriate construction budget.	x	
D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.	x	
E. Public Body has resolved any audit findings relative to previous projects.	x	


**Overall Evaluation by Committee/Panel Member**

Reason for Determination:

Did not meet all required criteria under Part C.

Observations/Concerns:

Project proposed unique application DB practice that nobody on the project team had experience with. Public Body had no public works contracting experience in the past 6 years. Public Body with extended extended team did not demonstrate experience in project delivery and contract administration needed to fully understand the nuances of the risks that were being taken by the public owner. Application presented differed from application, reflecting an uncertainty in approach.

  
 Jessica Murphy (Jan 26, 2024 16:47 PST)

Signature



Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: January 26, 2024  
 Public Agency: Kennewick Public Facilities District  
 Project Name: Three Rivers Convention Center Expansion Project  
 PRC Member: Ron Paananen

Approved \_\_\_\_\_  
 Denied   **x**  

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

	Pass	Fail
A. Provides substantial fiscal benefit or traditional delivery method is not practical.	<b>x</b>	
B. Project meets qualifying criteria under RCW 39.10.300. Public bodies may utilize the DB procedure for public works projects in which the total project cost is over two million dollars and where: <i>(Pass if meets 1 of 3)</i>	<b>x</b>	
1. The construction activities are highly specialized, and a DB approach is critical in developing the construction methodology; or		<b>x</b>
2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or	<b>x</b>	
3. Significant savings in project delivery time would be realized.	<b>x</b>	
C. Public Body has necessary experience or team: <i>(must meet all 6 to pass; 1 fail fails all)</i>		
1. Project delivery knowledge and experience;		<b>x</b>
2. Sufficient contract administration personnel with construction experience;	<b>x</b>	
3. Written management plan with clear & logical lines of authority;		
4. Necessary & appropriate funding and time to carry out the project;	<b>x</b>	
5. Continuity of project management team with project type & scope experience;		<b>x</b>
6. Necessary and appropriate construction budget.	<b>x</b>	
D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.	<b>x</b>	
E. Public Body has resolved any audit findings relative to previous projects.	<b>x</b>	

**Overall Evaluation by Committee/Panel Member**

Reason for Determination:

I am concerned that the architect, a major part of current PFD team would most likely be under contract directly to the DB contractor. There was nothing in the application that showed how the PFD would backfill that resource in their administration of the project and mitigate the apparent conflict of interest. This represents a potentially significant risk to the PFD.

Observations/Concerns:

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 Signature

Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: 1:30 PM January 26, 2024 Approved  Denied   
 Public Agency: Kennemuck Public Facilities District  
 Project Name: Three Rivers Convention Center Expansion Project  
 PRC Member: Catina M. Patton

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

	Pass	Fail
A. Provides substantial fiscal benefit or traditional delivery method is not practical.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Project meets qualifying criteria under RCW 39.10.300. Public bodies may utilize the DB procedure for public works projects in which the total project cost is over two million dollars and where: <i>(Pass if meets 1 of 3)</i>		
1. The construction activities are highly specialized, and a DB approach is critical in developing the construction methodology; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Significant savings in project delivery time would be realized.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C. Public Body has necessary experience or team: <i>(must meet all 6 to pass; 1 fail fails all)</i>		
1. Project delivery knowledge and experience;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Sufficient contract administration personnel with construction experience;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Written management plan with clear & logical lines of authority;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Necessary & appropriate funding and time to carry out the project;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Continuity of project management team with project type & scope experience;	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Necessary and appropriate construction budget.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E. Public Body has resolved any audit findings relative to previous projects.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Overall Evaluation by Committee/Panel Member**

Reason for Determination:

Meet Requirements on above Checklist.

Observations/Concerns:

\_\_\_\_\_  
 \_\_\_\_\_

Catina M Patton  
 Signature



Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: January 26, 2024  
 Public Agency: Kennewick PFD  
 Project Name: Three Rovers Convention Center Expansion Project  
 PRC Member: Traci Rogstad

Approved X  
 Denied \_\_\_\_\_

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

	Pass	Fail
A. Provides substantial fiscal benefit or traditional delivery method is not practical.	X	
B. Project meets qualifying criteria under RCW 39.10.300. Public bodies may utilize the DB procedure for public works projects in which the total project cost is over two million dollars and where: <i>(Pass if meets 1 of 3)</i>		
1. The construction activities are highly specialized, and a DB approach is critical in developing the construction methodology; or	X	
2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or	X	
3. Significant savings in project delivery time would be realized.	X	
C. Public Body has necessary experience or team: <i>(must meet all 6 to pass; 1 fail fails all)</i>		
1. Project delivery knowledge and experience;	X	
2. Sufficient contract administration personnel with construction experience;	X	
3. Written management plan with clear & logical lines of authority;	X	
4. Necessary & appropriate funding and time to carry out the project;	X	
5. Continuity of project management team with project type & scope experience;	X	
6. Necessary and appropriate construction budget.	X	
D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.	X	
E. Public Body has resolved any audit findings relative to previous projects.	X	

**Overall Evaluation by Committee/Panel Member**

Reason for Determination:  
Meets the checklist and RCW requirements.

Observations/Concerns:  
I believe this should have passed

*Traci Rogstad* 1/26/24  
 \_\_\_\_\_  
 Signature

Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: 26 JAN 2024 - DAY 2 ~ @ 1:30PM  
 Public Agency: KENNEBECK PUBLIC FACILITIES DISTRICT  
 Project Name: THREE RIVERS CONVENTION CENTER EXTENSION  
 PRC Member: YOUNG SANG SONG

Approved X  
 Denied \_\_\_\_\_

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

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- C. Public Body has necessary experience or team:  
*(must meet all 6 to pass; 1 fail fails all)*
  1. Project delivery knowledge and experience;
  2. Sufficient contract administration personnel with construction experience;
  3. Written management plan with clear & logical lines of authority;
  4. Necessary & appropriate funding and time to carry out the project;
  5. Continuity of project management team with project type & scope experience;
  6. Necessary and appropriate construction budget.
- D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.
- E. Public Body has resolved any audit findings relative to previous projects.

	Pass	Fail
A.	X	
B.	X	
1.	↑	
2.		
3.		
C.	X	
1.	↑	
2.		
3.		
4.		
5.		
6.		
D.	X	
E.	X	

**Overall Evaluation by Committee/Panel Member**

Reason for Determination:

UNIQUE PLAN OF INCORPORATING THE AEC. ITS A NEW COMBINATION OF CONTRACTING WITH MOVING PIECES THATS NOT TRADITIONAL BUT THE TEAM DID A GREAT JOB SUPERVISING W/ EXPERIENCED CONSULTANTS.

Observations/Concerns:

~~CONCERN~~ PANEL HAD A HARD TIME FOLLOWING YOUR APPROVAL. FOLLOWING THE UOE/DBE PATH LEVEL OF EFFORT IS ALSO CRUCIAL TO FOLLOW.

Signature



Project Review Committee (PRC)  
**Application Evaluation Sheet**  
**Public Agency Design-Build Project**

Date: JANUARY 24 2024  
 Public Agency: KENNEWICK PUBLIC FACILITIES DISTRICT  
 Project Name: THREE RIVERS CONVENTION CTR EXPANSION  
 PRC Member: LANCE THOMAS

Approved   
 Denied

**Project Evaluation Criteria**  
**Design-Build**

Determine that the Agency's proposed use of Design-Build on the project meets the requirements for alternative contracting procedures:

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  4. Necessary & appropriate funding and time to carry out the project;
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  6. Necessary and appropriate construction budget.
- D. For Design-Build projects, construction personnel independent of the DB team are knowledgeable in DB process & capable to oversee & administer the contract.
- E. Public Body has resolved any audit findings relative to previous projects.

	Pass	Fail
A.	✓	
B.		
1.	✓	
2.		
3.	✓	
C.		
1.		
2.		
3.		
4.	✓	
5.		
6.	✓	
D.		
E.	✓	

**Overall Evaluation by Committee/Panel Member**  
 Reason for Determination:

THE ONLY EFFICIENT WAY TO COMPLETE THIS IS D.B.

Observations/Concerns:

I RECOGNIZE THE CONFLICT IF MULTIPLE CONTRACTOR WANT TO USE THE SAME ARCHITECT, AND I DO NOT SEE THAT IT VIOLATES RCW

  
 Signature