

Location: via Teams

Meeting ID: 235 043 198 336 **Passcode:** GhdfhA

Committee Members: (14 members, 8 = Quorum)

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| X Dave Johnson <i>Co-Chair</i> , General Contractors | X Art McCluskey, Owner General Public |
| X Jeff Gonzalez, <i>Co-Chair</i> , Owners State | X Karen Mooseker, School Districts |
| X Kurt Boyd, Specialty Subcontractors | X Mike Pellitteri, Specialty Subcontractors |
| Marvin Doster, General Contractors | Irene Reyes, Private Industry |
| X Lekha Fernandes, OMWBE | X Linneth Riley Hall, General Owner |
| Bobby Forch, Jr., Disadvantaged Businesses | X Robynne Thaxton, Private Industry |
| X Thomas Golden, Design Industry-Architects | X Olivia Yang, Higher Ed |

Guests and Stakeholders:

- X** Talia Baker, DES Staff
- X** Ananda Gordon-Peabody, MFA
- X** Monique Martinez, DES Staff
- X** Michael Transue, MCA

Co-Chair Jeff Gonzalez called the meeting to order at 11:01 a.m. A quorum was established.

Review and approve agenda

Co-Chair Gonzalez reviewed the agenda and asked the group for any edits before proceeding.

Lekha Fernandes moved, seconded by Linneth Riley Hall, to approve the agenda. The motion was approved by a voice vote.

Approve minutes from 02/15/2024

Co-Chair Gonzalez asked the group for any edits to the meeting minutes from February 15, 2024.

Tom Golden moved, seconded by Kurt Boyd, to approve the meeting minutes. The motion was approved by a voice vote.

Define "Issue"

Co-Chair Gonzalez and Co-Chair Dave Johnson presented a revised definition of an "issue" for the reporting process, limiting it to violations of the RCW rather than best practices. However, one member disagreed, suggesting that deviations from best practices should be termed as "not following" rather than "violations," reserving "violation" for instances of non-compliance with the RCW. Another member supported this view, emphasizing that CPARB best practices lack the legislative backing to warrant being labeled as violations. Co-Chair Johnson clarified that deviations from best practices wouldn't trigger formal processes; instead, the aim is to provide a separate platform for discussing best practices and guiding owners.

Review Preventative Measures Recommendations

During the discussion on preventative measure recommendations, one member raised a concern regarding a recommendation suggesting that owners should be asked about their preparation for a project. They noted that while it would be beneficial for owners to prepare themselves, it's not a requirement for project approval. They

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proposed amending the recommendation to inquire about the owner's preparation, staff, and consultants.

Another point of discussion revolved around project approval criteria, particularly regarding knowledge of specific delivery methods. It was suggested that asking about the owner's plan to educate themselves on delivery methods might be more appropriate as a question for the panel rather than being included in the application.

Co-Chair Johnson emphasized the importance of applicants having adequate experience, whether in their agency or through consultants, and argued for including these questions in the application to ensure compliance with this requirement.

There were differing opinions on whether owners should rely heavily on consultants' input. Some members felt that owners should have enough expertise to evaluate and justify their decisions, while others argued that owners are allowed to assemble teams for support and guidance.

A suggestion was made to clarify that the questions asked during the application process are for informational purposes only and will not impact the approval decision.

However, one member cautioned against straying from the RCW's approval criteria, which allow owners to assemble teams even without personal experience. They argued against introducing additional requirements beyond what is outlined in the RCW, suggesting that the PRC's role should be to evaluate the overall team's qualifications rather than scrutinizing individual owner training.

The discussion continued with considerations about the implications of including certain questions in the application process. Concerns were raised about the potential for PRC members to inadvertently factor in information from these questions, despite their stated intention to exclude them from the evaluation criteria. Some members proposed the establishment of a support group for owners to provide guidance on training, recognizing that many issues stem from a lack of knowledge on the owner's part. Others suggested placing more emphasis on consultants or internal team members rather than solely on the owner.

An example was shared about a recent application where the rationale provided for selecting a particular delivery method appeared disingenuous, highlighting the importance of honest input from consultants and contractors.

Co-Chair Johnson emphasized the importance of ensuring owners are adequately prepared, given the PRC's jurisdiction over them. However, there was agreement that a support group for owners could be beneficial for success.

Co-Chair Gonzalez suggested focusing on specific changes to the Preventative Measure Recommendations or postponing further discussion to the next meeting.

One member voiced support for the recommendations but suggested modifying them to include staff and consultants in the questions, which could also be beneficial for the certification process.

It was emphasized that if the committee decides to endorse these questions, they will need to be recommended to the PRC, as the PRC is responsible for creating the questions for the applications.

However, concerns were raised about the potential burden of adding five additional questions to the application and the need to clearly define the problem they are trying to solve with these questions.

An alternative proposal suggested incorporating standing interview questions to inform project and team selection, potentially addressing some of the concerns raised.

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Talia Baker highlighted the resources available on the CPARB/PRC webpages and suggested incorporating them into the application process. However, concerns were raised about the discrepancy between those who come to the PRC and those executing the project who may lack knowledge.

A suggestion was made to link the preventative measure recommendations with the Education Connections Committee and its webpage to ensure broader dissemination of resources.

Co-Chair Gonzalez sought specific recommendations for the PRC, but members preferred to conclude the discussion rather than continue.

Linneth Riley Hall motioned, seconded by Mike Pellitteri, to forward the questions to the PRC for deliberation. The motion passed by a voice vote.

Talia Baker agreed to transmit the questions to PRC Chair Kyle Twohig and Vice Chair Jessica Murphy for review.

Review Post Incident Process for Addressing/Escalating Issues

Co-Chair Johnson presented the updated draft proposed process for post-incident occurrence, which was created with Co-Chair Gonzalez. He walked the committee through the flowchart and invited feedback and discussion.

One member raised concerns about the additional responsibilities this process would entail for CPARB and PRC chairs, particularly for those who volunteer for these roles. There were questions about the escalation process and where it would ultimately lead, with some suggesting it would go to the Attorney General's office. The intent of the procedure was clarified, with Co-Chair Johnson confirming that it would be posted for educational purposes. Additionally, there were discussions about using the process to identify potential RCW 39.10 violations for consideration during reauthorization.

Caution was urged regarding language to avoid defamation and lawsuits, especially since CPARB lacks the authority to officially determine violations. Suggestions were made for an internal process involving the AG's office, CPARB Chair, and PRC Chair to address potential violations.

The committee discussed identifying lessons learned from the process to create best practices. A member of the public inquired about current enforcement of RCW 39.10 violations, highlighting the need for the work group's efforts.

Co-Chair Gonzalez solicited feedback on next steps and requested volunteers to refine the process. Robynne Thaxton offered to assist, and it was agreed to circulate the updated version to the full committee for review and feedback. The committee decided to table the formal definition of an "issue" for the next meeting, with suggestions for a glossary of defined terms.

Next Meeting Agenda:

- Thursday, April 18, 11:00am – 12:30pm
- Approve Agenda
- Review Post Incident Process for addressing/escalating issues/define "issue"
- Discuss Forum for issues other than violations of RCW 39.10
- Next Meeting Agenda
- Adjournment

Action items:

- a) Talia Baker to send out the Preventative Measures Recommendations to PRC Chair Kyle Twohig and

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Vice Chair Jessica Murphy.

- b) Co-Chair Jeff Gonzalez and Co-Chair Dave Johnson to send out the most recent version of the Post Incident Process to the entire committee for feedback.

Workgroup Parking Lot:

- c) Is it advisable to create a support group for owners?
- d) How can we ensure that committee members are aware of defamation/lawsuit risk while also meeting the needs of an internal process?

Meeting Adjourned at 12:31 p.m.