

CAPITAL PROJECTS ADVISORY REVIEW BOARD

1500 Jefferson Street SE
Presentation Room
Olympia, Washington 98504

February 14, 2019

Minutes

MEMBERS PRESENT

Walter Schacht (*Chair*)
Rebecca Keith (*Vice Chair*)
Brian Belarde (*Telecon*)
Steven Crawford (*Telecon*)
Bill Frare
Joaquin Hernandez (*Telecon*)
Charles Horn (*Telecon*)
Santosh Kuruvilla
Brent LeVander
Robert Maruska
Irene Reyes (*Telecon*)
Mike Shinn
Aleanna Kondelis
(*Mike McCormick*)

REPRESENTING

Architects
Cities
Construction Trades Labor
Higher Education
State Government
Private Industry
Insurance/Surety Industry
Engineers
General Contractors
Washington Ports
Private Industry
Specialty Contractors
Higher Education

MEMBERS ABSENT

Greg Fuller
Senator Bob Hasegawa
Mark Riker
Rep. Steve Tharinger
Andrew Thompson
Lisa van der Lugt
Jane Wall
Senator Judy Warnick
Vacant
Vacant

REPRESENTING

Specialty Contractors
Senate (D)
Construction Trades Labor
House (D)
General Contractors
OMWBE
Counties
Senate (R)
Hospital Districts
House of Representatives (R)

Staff & Guests are listed on the last page

WELCOME & INTRODUCTIONS

Chair Walter Schacht called the regular Capital Projects Advisory Review Board (CPARB) meeting to order at 8:33 a.m.

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

APPROVE AGENDA - Action

Chair Schacht proposed revising the agenda to move the discussion on *CPARB Proposed Changes to RCW 39.10* as the first item under *REPORTS*.

Rebecca Keith moved, seconded by Robert Maruska, to approve the agenda as amended. A roll call vote approved the motion unanimously.

APPROVE DECEMBER 13, 2018 MEETING MINUTES – Action

The following changes were requested to the minutes of December 13, 2018:

- On page 4, within the first sentence of the last paragraph, change “proposed” to reflect “proposal.”
- On page 4, within the last paragraph, change “perspective” to reflect “prospective.”
- On page 6, revise the second sentence in the third paragraph to state, “The reauthorization report was not available until recently, members and others need time to consider the proposed work plan and personal commitment...”
- On page 13, change the agenda topic “Disparity Student Update – Information/Discussion” to reflect “Disparity Study Update – Information/Discussion.”

Robert Maruska moved, seconded by Bill Frare, to approve the minutes of December 13, 2018 as amended. A roll call vote approved the motion unanimously.

APPROVE JANUARY 11, 2019 SPECIAL MEETING MINUTES – Action

Bill Frare moved, seconded by Robert Maruska, to approve the minutes of January 11, 2019 as presented. A roll call vote approved the motion unanimously.

INVITATION FOR PUBLIC COMMENTS

Vice Chair Keith invited public comments throughout the meeting.

Scott Middleton advised that he would offer comments later in the meeting on House Bill (HB) 1295.

REPORTS

CPARB Proposed Changes to RCW 39.10

Chair Schacht reported on proposed changes to RCW 39.10 addressing Design-Build and Job Order Contracting provisions in the statute. The bill was introduced as HB 1295 and was subsequently introduced in the Senate as Senate Bill (SB) 5656. Ordinarily, both bills would have been companion bills; however, the process at the Code Revisers Office separated the bills, which created some confusion. HB 1295 was introduced in the House but because of a clerical error, the bill did not include the changes the Board approved at the January 11, 2019 special meeting. The Senate Bill included the Board's proposed changes, which speaks to why the bills were not companion bills. At the time the bill was introduced in the House, a substitute bill was introduced to correct the omission of the Board's approved changes. A hearing was held on January 29, 2019. Chair Schacht, Vice Chair Keith, Tae-Hee Han (Sound Transit), Jerry VanderWood, Frank Lemos, Andy Thompson, and Steve Tatge (University of Washington) testified in support of the bill. Charlie Brown, a lobbyist for the Puget Sound School Coalition addressed a concern about the nature of the Board's reporting requirements. Subsequently, Mr. Brown withdrew the concern. Another hearing before the Senate is scheduled on February 15, 2019, which Mr. Brown has indicated his constituents support. Members of the House Capital Budget Committee did not ask any questions. Representative Tharinger sponsored the bill and chairs the House Capitol Budget Committee. He spoke in support of the bill. The bill was originally to be forwarded to an executive session of the committee on February 5, 2019 but was cancelled because of the lack of time.

A number of developments have occurred subsequent to the introduction of the bill. Sound Transit representatives conveyed to Representative Tharinger the opportunity, since the bill was under consideration, to waive the sunset provision of the statute. The House Capital Budget Committee contacted Chair Schacht regarding the proposal to waive the sunset provision. His response was that the concept was interesting but the Board did not have an opportunity to discuss the proposal and therefore he was not authorized to support or reject the proposal. He suggested the Board should consider both the pros and cons of the proposal. Additionally, he contacted Sound Transit and explained that the Board was not prepared to embrace the proposal without first discussing the proposal with the Board and stakeholders. Subsequently, Sound Transit informally withdrew its suggestion.

Secondly, Representative DeBolt submitted an amendment to the bill pertinent to RCW 39.12. The amendment would require prevailing wages for public works projects costing \$75,000 or more. Current legislation requires prevailing wage for all public works capital projects. Chair Schacht said he did not communicate with the House Capital Budget Committee or with Representative Tharinger; however, he recently contacted Mark Riker, who does not support the bill on behalf of labor. Chair Schacht said he also reached out to a number of public owners and general contractors. There was no support for Representative DeBolt's amendment based on his contacts. Additionally, he believes labor would strongly oppose the amendment if adopted by the House Capital Budget Committee.

Chair Schacht asked members to provide feedback on whether the Board should support the amendment to set the dollar amount of \$75,000 as the minimum threshold to require prevailing wages as opposed to the current statute which requires prevailing wages for all public works projects.

Mr. Maruska shared that some of his constituents have conveyed concerns about the changes by the Legislature for the methodology of setting the prevailing wage and resulting impacts. While the amendment could address some of the concerns, such as exempting projects below \$75,000, he believes amending the CPARB bill with this particular provision would not be an appropriate way to address the overarching issue. Rather, the Legislature should address the issue through a broader perspective rather than adding the provision to a CPARB bill. Consequently, he would not support the proposed amendment to the bill.

Chair Schacht expressed appreciation for Mr. Maruska's perspective. He suggested sending a letter or an email to the House Capital Budget Committee conveying the concerns expressed by Mr. Maruska. Mr. LeVander supported the suggestion.

Chair Schacht said he does not believe the Board needs to take any action on the proposed amendment. Mr. Frare offered that the Board should consider taking action to ensure the Board maintains its standing.

Mr. Maruska recommended that any discussions on behalf of the Board should convey an understanding of the concerns as the Board believes the issue should be addressed through a much broader process and not within the proposed bill.

Following additional discussion, Mr. Frare offered a motion.

Mr. Frare moved, seconded by Santosh Kuruvilla, to authorize the CPARB Chair and Vice Chair to communicate to the Legislature that the proposed amendment offered by Representative DeBolt should not be attached to CPARB's legislative bill.

Vice Chair Keith proposed a friendly amendment adding language reflecting that the Board understands and appreciates the concerns that might surround the prevailing wage methodology; however, the Board opposes the amendment as the vehicle for addressing the concerns surrounding the (prevailing wage) methodology.

***The makers of the motion accepted the friendly amendment.
A roll call vote approved the motion as amended unanimously.***

Chair Schacht said another issue discussed surrounding HB 1295 is the notion of including the withdrawal of the sunset provision as part of the current bill. It is an interesting proposal but all stakeholders represented by the Board should be considered relative to the success of the statute. A public hearing is scheduled for SB 5656 on February 15, 2019. There is an expectation that SB 5656 will be successful. Should inclusion of the sunset provision be pursued, a JLARC review would no longer be necessary in 2020 and reauthorization of the statute would be unnecessary in 2021. The Board has not discussed the sunset proposal other than the Chair and the Vice Chair discussed the potential of a recommendation following the upcoming efforts for sunset and reauthorization. It is likely a suggestion would be offered to codify the statute permanently at that time. Today, alternative public works delivery methods are an accepted delivery method for capital projects for public works in the state. The Board has demonstrated its effectiveness in continuing to recommend public policy changes to the Legislature. It is likely time to end the process of reauthorization. The Board is receptive to feedback from stakeholders and continuing to improve things moving forward. One of the best things about CPARB and alternative project delivery is its existence as a policy board to continue improving processes. The issue is why the Board would want to short circuit the upcoming sunset review and reauthorization at this time. The recommendation was not initiated by the Board but by a public owner that has an interest in reauthorization and pursuing an interest to serve on the Board.

Chair Schacht shared his personal perspective. He would rather the Board focus on the strategic plan for the next several years. Sunset review and reauthorization would be major efforts. The Board Development Committee is focused on doing a better job of orienting new members to the Board. Recently, Chair Schacht, Vice Chair Keith, and Nancy Deakins met with Keith Swenson, Director of the Boards and Commissions, to review the Board's commitment to improve the orientation process for new members. Mr. Swenson noted that many boards and commissions do not do a good job of orienting or training new members. The Board also has implemented strategic direction for education and outreach and discussed forming a GC/CM best practices committee for potential statutory modifications affecting JOC, Design-Build, and GC/CM – the three legs of alternative delivery. The Board is scheduled to receive a report from Mr. Frare and Ms. Yang on efforts to date by the Business Equity/Diverse Business Inclusion Committee. The Board is dealing with the issue of opening doors so everyone can participate effectively in competing for alternative public works contracting. Many initiatives are in place despite limited time and resources as a volunteer board. It is clear to him that a pathway exists in 2020 and in 2021 for submitting policy recommendations to the Legislature to continue improving the statute. It might require less effort in a targeted fashion than by opening up reauthorization. He and Vice Chair Keith would not be comfortable moving forward with the recommendation unless the Board unanimously concurred. He also contacted Mr. Riker about the proposal as part of the prevailing wage conversation. Mr. Riker conveyed that CPARB has demonstrated its ability and willingness to respond to stakeholders. He also contacted Mr. Lemos with respect to the Board's efforts with diverse business inclusion. Mr. Lemos did not necessarily endorse the recommendation but was open to the suggestion. Mr. Lemos expressed appreciation for the level of enthusiasm the Board has for improving public

policy for the business community. His question was how those efforts would continue. Everyone wants to continue to improve the statute. The issue is identifying the most effective way of completing that task in terms of investment of time and effort.

Mr. Maruska said he supports the concept of codifying alternative public works and eliminating the sunset review. However, he also has several concerns and a proposal to consider. The first concern is attempting to pursue an amendment to the existing bill that would likely lead to the potential failure of the bill. He understands the importance of changes to the current bill; however, there is some risk by attaching an amendment. Language in the bill does not address GC/CM. Additional changes would be necessary for the entire statute because it applies to all alternative delivery methods. He suggested the Board should take the opportunity to refer the issue to the Reauthorization Committee as one of its first tasks. Should consensus be achieved by all parties, the Board could recommend a bill to the Legislature next session to remove the sunset provision that would essentially eliminate the additional work by the Board in 2021, and without jeopardizing the current bill while enabling adequate time for a broad spectrum review by the Board and stakeholders to develop a bill.

Mike Shinn noted that the Board is scheduled to discuss the Reauthorization Committee. He is not supportive of attaching an amendment to the bill and does not believe mechanical contractors, specialty contractors, or labor would support the amendment. The Reauthorization Committee would likely explore options and recommend changes to the statutes.

Vice Chair Keith said there appears to be two separate concerns. As she understands the proposal, the language would only to remove the sunset provision requirements from JOC and Design-Build statutes.

Chair Schacht pointed out that the proposal could be also be considered for all alternative delivery statutes.

Vice Chair Keith suggested that during a GC/CM statute review, similar to the JOC and Design-Build review, a proposal could move forward for the GC/CM sunset review. However, she is concerned about the lack of attendance at today's meeting and would prefer not jeopardizing the bill as many constituents could claim they had no knowledge of the proposed amendment and were not comfortable with the process.

Vice Chair Keith invited public comments.

Scott Middleton, General Counsel and Government Affairs Director, Mechanical Contractors Association, echoed similar comments conveyed by Mr. Maruska, Vice Chair Keith, and Mr. Shinn for removing sunset provisions. Pursuing an amendment at this late stage of the legislative process would certainly lead to protests by other industry associations. RCW 39.10 is a deviation from traditional low-bid contracting and is monitored closely. In 2013, according to Ed Kommers when reauthorization was pursued, some of the discussion and compromise included a sunset review that would be included at reauthorization. This proposal would backtrack those prior discussions and commitment of the legislation at that time. It serves as a check and balance to the process under RCW 39.10 for alternative contracting. The Association is involved in the MC/CM process. The goal of the proposed legislation is to expand JOC and Design-Build. Adding the amendment would jeopardize the heart of the proposed bill without engaging other stakeholder groups and other contractor associations that have not expressed opposition of the proposed bill at this point.

Mr. Maruska said he was involved in the original legislative negotiations in 2013. Public owners at that time proposed a 10-year reauthorization schedule and through negotiations, the legislation included a seven-year reauthorization schedule.

Chair Schacht said he does not perceive unanimous consensus on the proposal. He asked members whether it is procedurally possible to lift the sunset provisions on Design-Build and JOC and retain other provisions in the statute.

Mr. Maruska suggested following up with the Code Reviser's Office to determine whether it would be possible.

Robynne Thaxton Parkinson commented that RCW 39.10.904 speaks to the effective date. She believes the sunset provisions apply to RCW 39.10 in its entirety and it would not entail a simple revision to the statute to exempt the provisions relating to the sunset because the RCW includes provisions related to the Project Review Committee (PRC) that are intertwined with GC/CM. An amendment would require deletion of the provisions allowing PRC to approve

GC/CM projects. There would be many revisions throughout the entire statute to excise the sunset provision. It likely would be easier to pursue the process of reauthorization. Ms. Parkinson added that she serves as the Chair of the Design-Build Institute of America Northwest Region Legal and Legislative Committee. She has served in that role for many years. She was also involved in the original legislative process with Mr. Maruska on the reauthorization in 2013 and agrees with his comments that there was a significant amount of discussion regarding the period for the sunset provisions. Overall, she supports the idea of discussing the possibility of eliminating the sunset provision; however, it should have been discussed at the time the discussions occurred on the proposed bill. If there is a possibility of opposition to the current bill, she recommended not including the proposal amendment.

Chair Schacht emphasized that he and the Vice Chair are committed to pursuing the same level of comprehensive review of the statute that was completed for JOC and Design-Build. The review of the Design-Build statute entailed a four-year process with emphasis on best practices followed by focusing on more details to include outreach. His concern as the Board undertakes sunset and reauthorization is the tremendous level of time, effort, and commitment the process requires. The Board can offer changes to improve the statute and outcomes for alternative project delivery; however, the Board and other stakeholders who volunteer to participate should understand that their efforts on reauthorization would be the primary focus.

Vice Chair Keith pointed out that from a process perspective, there is no current amendment before the Legislature to eliminate the sunset provision, as the proposal was an amendment offered by Sound Transit. Chair Schacht affirmed no action on the proposal is pending by the Board.

Board Development Committee – Discussion & Action

Chair Schacht recognized Mr. Maruska and Mr. Frare.

Mr. Maruska reported the committee is reviewing future open positions and identifying candidates for the positions. Committee members are reviewing the process for identifying candidates. More work by the committee is necessary to determine ways to support the Board's direction.

Chair Schacht reported that during the meeting with the Director of Boards and Commissions, he was advised that the Governor appoints 14 positions on the Board. The Board is comprised of 19 voting members with several positions appointed by their respective constituent group. Nearly half of the gubernatorial-appointed positions are nearing the end of their term. Five members are nearing the end of their first term, two are nearing the end of their second term, and Mr. Riker has been a member of the Board since 2009. The Governor limited membership on boards and commissions to a maximum of 10 years. The committee should consider inviting the five Board members nearing the end of their first term to submit their applications if interested. He recommended the Board should author a letter in support of Board members desiring reappointment. Additionally, because of the years of service by Mr. Riker, conversations are occurring within labor for potential changes in membership on the Board. Chair Schacht said he is also nearing the end of his second term on July 1, 2019 and could serve as the Board Chair for another year if reappointed to the Board. Since the Board is pursuing reauthorization efforts, there might be value for his continuance to remain on the Board for continuity. Mr. Swenson affirmed the importance of maintaining continuity on the Board and indicated he would entertain an extension of his appointment rather than reappointment to a third term. Chair Schacht said he plans to request the Board Development Committee support his application for an extension.

Mr. Maruska added that he has been engaged with representatives from Public Hospital Districts, which appoints a representative to serve on the Board. There has been some difficulty within the organization to solicit a volunteer who is qualified and willing to serve on the Board.

Chair Schacht referred to one other issue the Board of Development Committee should consider.

Vice Chair Keith said the issue is related to the election of the Chair and Vice Chair and whether terms should be staggered. The bylaws do not speak to the effective date of officer positions. Current incumbents were elected at during May 2018 meeting and after election immediately assumed the positions. The proposal relates to timing as elections occur in May but seating of the officers would not occur until the September meeting affording some transition time for both incumbents and new officers.

Ms. Deakins reminded members that any changes to the bylaws require the proposed changes to be introduced at a meeting prior to the meeting of the Board's action.

Chair Schacht noted that the proposal is being referred to the Board Development Committee for consideration.

Vice Chair Keith said the bylaws stipulate officer elections in May but it does not address transition of the positions.

Mr. Maruska suggested the committee could recommend some improvements to the bylaws to improve the facilitation of officer transitions.

Chair Schacht introduced an issue of the Board ineffectively prepared when considering PRC candidates for appointment. During conversations between the Chair and Vice Chair, they both agreed having some insight on PRC candidates prior to entertaining nominations would be helpful for the Board prior to appointing candidates. Mr. Maruska recommended redirecting the task from the Board Development Committee to the PRC Chair and Vice Chair to assist the Board. Chair Schacht conveyed appreciation for the suggestion.

PRC Candidates – Discussion & Action

Chair Schacht reported the PRC has been working to assist the Board by providing position descriptions to aid the Board during consideration of PRC candidates. The Board should refer to those position descriptions when considering a candidate for appointment.

PRC Position – Cities

Chair Schacht invited Kyle Towhig to speak to his respective application.

Kyle Towhig thanked the Board for considering his application for the Owner's Representative – Cities position on the PRC. He enjoys his engagement with PRC from a level of full vetting of projects to ensure that the best processes and teams were in place for projects. The City of Spokane has presented several different types of alternative delivery project applications to the PRC. They included an original Design-Build project several years ago. The City of Spokane received a national award for that project. Other projects included some challenging Heavy-Civil GC/CM projects, as well as Progressive Design-Build and traditional Design-Build projects. Internally, the City of Spokane has had an opportunity to build knowledge and teams by working throughout the project delivery mechanisms and understanding how each project can result in positive outcomes. He has enjoyed the dialogue with many members of the PRC during discussions about approaches and strategies for product delivery and determining the best fit for each project. He would enjoy contributing to applicants in the future as a PRC member.

Janice Zahn, Chair, PRC, shared that Mr. Towhig has presented project proposals to the PRC several times. The committee was impressed with his knowledge of alternative delivery methods and how the City of Spokane conducts its projects related to alternative delivery. There have been several conversations about the City's lessons learned and sharing information on best practices. She supports Mr. Towhig's nomination to the PRC.

Rebecca Keith moved, seconded by Santosh Kuruvilla, to appoint Kyle Towhig to serve on the PRC in the position of Owner-Cities.

Vice Chair Keith noted that Mr. Towhig also received the endorsement from the Association of Washington Cities. She also supports his nomination.

A roll call vote approved the motion unanimously.

Chair Schacht invited Timothy Buckley to speak to his application for the Private Sector position. He has known Mr. Buckley for many years. Mr. Buckley served as the President of American Institute of Architects (AIA) America Washington Council when he served on the Board.

Timothy Buckley thanked the Board for consideration of his application. It is an honor to be considered for the position. He is a licensed architect. He currently serves as a Value Methodology Associate with Society for American Value Engineers (SAVE) International and is a co-owner of MENG Analysis, a small firm based on Seattle providing whole building lifecycle services and reviews as an independent third party on behalf of both private and public sector clients. The company completes facility condition assessments, value engineering, constructability reviews, and building commissioning. His focus and interest in his current position is to protect the interests of the state and taxpayers and focusing on improving the value of design as a long-term investment in public infrastructure and buildings. The definition of value is function and performance of the utility or the infrastructure divided by the total cost of ownership. He has reviewed a number of alternative public works projects on behalf of some public clients, especially school districts. Most of the school districts use the GC/CM delivery method. Having the ability to provide that independent value engineering and constructability review for those teams has been beneficial for him personally, as well enabling him to learn what has worked and how to support the teams. In several instances, the GC/CM has not been integrated or involved, which led to some struggles. He wants to help promote and improve the process. Although the PRC has Architect positions, he would like to be considered for the Private Sector position as his primary focus today is on value engineering. His constituency would be the Society of American Value Engineers, as his firm does not practice architecture.

Vice Chair Keith asked Mr. Buckley whether his experience with alternative public works is focused on value engineering and design analysis rather than on other aspects of the project. Mr. Buckley replied that when he was a practicing architect with a previous firm, he was involved in a number of GC/CM projects. Most recently having joined MENG Analysis, his primary focus has been conducting the reviews on behalf of the owners, which include value engineering, value analysis, and constructability reviews.

Vice Chair Keith asked Mr. Buckley to speak to how he would represent private industry when he is focused on independent design and analysis services as opposed to design. Mr. Buckley replied that the company does not provide design services. Rather, the company reviews the design work of other professionals for both private and public clients. One of the reasons for his interest in the private sector position is because the firm is not an architectural practicing firm, it would exclude him from being able to submit an application as an architect. The company's primary role is representing public and private client interests in the whole building and lifecycle of projects.

Ms. Zahn said it appears that Mr. Buckley's role would primarily represent owners for value engineering and evaluating best value related to design. The PRC has a position for Construction Manager on the PRC. It is an interesting discussion about what private sector represents on the PRC because PRC positions include Construction Managers who are hired by owners to represent their interests. Currently, PRC has positions representing designers and architects and one position for engineers. Additionally, half of all project applications received by the PRC are from school districts. Mr. Buckley's knowledge of schools would be helpful. She also shares some of the same questions surrounding the position that would be best suited for Mr. Buckley's qualifications.

Mr. Buckley responded and indicated the Construction Manager position would not apply because the company does not provide construction management services for school districts or other clients. The company essentially reviews the work of design teams, Design-Build teams, and GC/CM teams.

Mr. Kuruvilla asked about the background of the previous incumbent in the position.

Talia Baker advised that James Lynch served in the position.

Mr. Shinn said he has been a member since the committee was established. He believes Mr. Buckley's experience would provide a different outlook as a committee member, which speaks to the committee's goal to achieve a diversity of knowledge. He supports the candidacy of Mr. Buckley. The position has been vacant for the last six months and needs to be filled. The committee has strived to fill the position but it is often difficult to identify a candidate who is willing to make a commitment.

Chair Schacht said he's somewhat conflicted because of the definition of a private sector representative, which cannot be resolved at this time other than the definition is somewhat vague. Mr. Buckley has not totally been involved in alternative project delivery; however, he has known Mr. Buckley for 15 years and has a high regard for his intellect and his

professional skills. Since the position is vacant and PRC has had trouble in attracting candidates, the committee often faces a challenge in achieving quorums for meetings. He has confidence in Mr. Buckley's ability to contribute sound and reasonable judgment to the process. Based on his knowledge of Mr. Buckley's professional qualifications, he would vote in support of the appointment.

Mike Shinn moved, seconded by Rebecca Keith, to appoint Timothy Buckley to serve on the PRC in the position of Private Sector. A roll call vote approved the motion unanimously.

Reauthorization Committee

Chair Schacht invited Vice Chair Keith to provide an update on the activities of the committee.

Vice Chair Keith reported that over the last several months, conversations have occurred with many individuals about the upcoming work of the committee. She recommended moving forward with appointments to the committee to ensure the committee can begin developing a plan in May to define activities during the summer prior to September. The proposal to focus on the sunset provisions could entail a recommendation by the committee earlier rather than later. At the last meeting, she recommended the Board consider nominations to the committee with the Board approving members in some of the identified categories. The Board was asked to consider other categories to include. She recommended appointing members representing OMWBE and women-owned and minority-owned business categories because of support to include both groups to provide both private and public perspectives. At this point, there would be nine public positions and eight private positions with an option of adding a general private industry position. The last Reauthorization Committee was comprised of 18 to 20 members. To address quorum issues, the proposal would represent a smaller committee. It is also important to note that the committee would undergo a major work effort and require numerous avenues for involvement by stakeholders, to include smaller groups meeting independently working on specific issues with recommendations provided to the committee. The committee would vote on all recommendations for the reauthorization statute.

Vice Chair Keith said the Board has the option to delay appointments until the May meeting or appoint some of the members with remaining positions appointed in May. She asked for feedback from members.

Mr. Frare suggested scheduling a special meeting in March to avoid a delay in appointing members to the committee. The meeting could be confined to a single subject of appointment of members to the Reauthorization Committee.

Chair Schacht offered a different approach acknowledging it would be important for the entire Board to appoint committee members to ensure a diversity of representation. He supported moving forward, given the enormity of the task. The meetings would be open and more stakeholders in addition to appointed members would likely attend. He recommended appointing members to the committee in May. He questioned how efforts by the Reauthorization Committee with the Business Equity/Diverse Business Inclusion Committee would be coordinated and whether the efforts should be combined under the umbrella of the Reauthorization Committee. He also would like to establish a GC/CM Committee; however, he wants to avoid duplicating efforts. Business equity and diverse business inclusion will be critical to the success of reauthorization. GC/CM should also have a dedicated committee working on efforts. He asked whether the Reauthorization Committee should be the overarching structure responsible for assigning tasks related to all three efforts. Several members agreed that the Reauthorization Committee should serve as the overarching structure.

Vice Chair Keith said one of the questions posed to the Board in the report was whether CPARB would incorporate reauthorization-related tasks and other committee goals, such as Data Collection Committee and Business Diversity goals. There could be multiple ways to develop a structure to allocate tasks. Although it would be somewhat odd to appoint members to the Reauthorization Committee at this time with limited Board members in attendance, she acknowledged the Board has attained a quorum and a number of individuals are in attendance who are prepared to represent constituencies and are interested in proceeding with committee appointments. She supports appointing as many members at this time as possible and adding more members in May to enable the committee to begin working.

Ms. Deakins offered that in previous appointment actions, the Board has identified the respective groups to be represented on the committee with each group providing a perspective member's name future meetings prior to official appointment by the Board.

Mr. Maruska supported appointment of members at this time with additional appointments in May as groups/constituencies are identified.

Mr. Shinn nominated Scott Middleton to represent Specialty Contractors.

Chair Schacht recommended identifying a category of “Transit” rather than “Sound Transit” as an entity, as well as adding a private sector position. Members and others representing different stakeholder groups should solicit a potential member to attend meetings prior to their official appointment by the Board.

Aleanna Kondelis offered the nomination of Oliva Yang representing Washington State University for Higher Ed. Prior conversations spoke to the goal of inviting other Higher Ed institutions to participate on the committee as well.

Mr. Maruska said that as a representative of Washington Public Ports, he discussed representation on the committee with members. He nominated Loren Armstrong to represent Washington Public Ports

Mr. Shinn nominated Robynne Parkinson to represent private industry.

Mr. Maruska nominated Vice Chair Keith to serve as the representative for Cities.

Chair Schacht recommended nominating Vice Chair Keith to serve as either Chair or Co-Chair of the Reauthorization Committee. Steve Crawford seconded the nomination.

Vice Chair Keith called for additional nominations. No other nominations or self-nominations were offered.

Rebecca Keith moved, seconded by Mike Shinn, to appoint the following individuals to serve on the Reauthorization Committee representing the following constituencies:

- *Scott Middleton – Specialty Contractors*
- *Oliva Yang – Higher Ed*
- *Ports – Loren Armstrong*
- *Rebecca Keith – Cities and Co-Chair*
- *Robynne Parkinson – Private Industry*

A roll call vote approved the motion unanimously.

Education/Outreach Committee – Information

Chair Schacht invited Ms. Kondelis to provide the update.

Ms. Kondelis said that based on the last meeting’s discussion, a committee would not be formed. Instead, a volunteer working group has been tasked to identify training opportunities across the sectors specifically for alternative public works. The work group plans to create a link to websites and some general practice information around training opportunities within other forums. The idea is to partner with other organizations to broaden the training pool and create a deeper and more widespread understanding of best practices in the industry for public works projects.

Members of the working group include Elisa Young, OMWBE; Steve Crawford, School Districts; Shari Purves-Reiter, Department of Labor & Industries; Bill Frare, DES, and Mike McCormick, University of Washington. The group drafted a list of potential education forums to include DBIA Certification, MCA’s CPM Certification, University of Washington’s Business Growth Collaborative, AGC’s Education Foundation, and others. Members plan to schedule a series of meetings focusing on alternative public works.

Chair Schacht recessed the meeting at 10:23 a.m. to 10:38 a.m. for a break.

A roll call of attendance affirmed a meeting quorum following the break. Joaquin Hernandez was no longer participating by telecon.

Reauthorization Committee – Continued (Action)

Chair Schacht reported the Board never officially formed the committee. He asked for action to establish the Reauthorization Committee and include a statement identifying the goal of the committee.

Rebecca Keith moved, seconded by Robert Maruska, to form a Reauthorization Committee with a goal to achieve reauthorization of the alternative public works statute. A roll call vote approved the motion unanimously.

Joaquin Hernandez rejoined the meeting via telecon.

Proposed Business Equity Committee – Discussion & Action

Chair Schacht reported on a telephone conference between him, Mr. Frare, Ms. Yang, and Ms. van der Lugt to discuss goals for the committee.

Mr. Frare said part of the telephone discussion was focusing efforts because business diversity and equity is a broad subject as it could involve outreach, networking, events, notification, and other activities. One of the questions spoke to how CPARB would support those efforts and how those activities would align with the Board's directive on alternative public works. The group agreed to focus efforts around a comprehensive review of RCW 39.10 from the lens of business diversity and equity to ensure that some of the proposed language the Board adopted in January 2019 is consistent across the statute. In many ways, the committee could be a sub-committee of the Reauthorization Committee; however, assignment of a specific attainable goal of reviewing the statute would enable the committee to focus its efforts more effectively.

Chair Schacht said there was also a suggestion to include best practices guidelines or effective strategies that agencies utilize to achieve inclusion and diversity. Some initial progress has occurred with the adoption of Design-Build Best Practices (Chapter 4 - Encouraging Competition) that address all issues specific to Design-Build. Janice Zahn and Ms. Young presented Chapter 4 during the AGC Education Workshop. The next scheduled presentation is in May at the AGC's workshop.

Mr. Maruska encouraged establishing the committee as a stand-alone committee rather than adding it as an umbrella under the Reauthorization Committee to enable a sharper focus and a broader approach.

Ms. Parkinson encouraged the committee to develop a white paper on best practices as she has worked with a number of smaller entities that are struggling with developing robust diversity programs similar to larger public agency programs. The smaller entities are seeking guidance from the larger public agencies to ascertain ways to increase diversity within their respective communities. Often, the entities are not located in areas where many diverse businesses are located; however, they are seeking guidance and perspectives from agencies that have a developed program. She suggested the committee should develop some guidance, guiding principles, best practices, or example language to help smaller entities.

Ms. Yang pointed out the importance of acknowledging that there are two sides of the state with two different demographics and issues. While everyone is united in supporting the goal of diversity, the nuance of implementation is very important because in western Washington, big and small owners have different approaches while in eastern Washington the situation is different. It is important to be thoughtful about those differences to ensure efforts are successful.

Vice Chair Keith supported the comments by Ms. Parkinson, Mr. Maruska, and Ms. Yang because as a representative of a public owner, much of the work completed by the Board is technical in nature and pertains to expertise in public works construction whereas equity and diversity efforts are something that political bodies also have a stake in. A white paper on strategies is a good idea; however, examples of tools to use that have been effective are important to ensure political policymakers have sufficient leeway in making choices.

Ms. Zahn reported that based on the request by the Board, PRC is adding information to applications asking applicants to describe outreach plans to small, women, and minority businesses. The PRC intends to begin compiling some of the information from some of the larger owners seeking certification and recertification. It speaks to one method the PRC is initiating to request more information on that particular focus.

Chair Schacht spoke to the obstacles that minority, women, and veteran small businesses have, as well as AGC advocating for working with CPARB, as not all contractors represented by the organization are receiving a fair share of the work because they do not have a track record of Design-Build or GC/CM projects. He spoke to AGC's Governmental Affairs Committee prior to AGC's agreement to support CPARB's bill and received input on concerns surrounding the proposal to reduce the project threshold limit to \$2 million. Multiple stakeholders must be considered as part of the committee's work. To the extent that more public works projects are procured through alternative public works, creating more access will be important.

Walter Schacht moved, seconded by Bill Frare/Irene Reyes, to form the Business Equity/Diverse Business Inclusion Committee with the goal of comprehensively reviewing RCW 39.10 to create consistency in language, increase opportunities, and concurrently evaluate effective strategies public agencies use to increase opportunities for firms to compete.

Mr. Maruska said it appears the focus is on RCW 39.10. He asked about including RCW 39.04 (Design-Bid-Build) for a comprehensive review of public works delivery.

Mr. Maruska offered a friendly amendment to include RCW 39.04 as part of the comprehensive review.

Chair Schacht and Mr. Frare/Ms. Reyes accepted the friendly amendment.

Mr. Maruska noted that the inclusion of RCW 39.04 would also likely include RCW 39.080 by reference.

Bill Frare and Robert Maruska offered a friendly amendment to include RCW 39.080 within the motion.

Makers of the motion accepted the friendly amendment.

A roll call vote approved the motion as amended unanimously.

Chair Schacht suggested appointing a preliminary slate of members with remaining appointments completed at the May meeting. He offered to serve as a representative for Architects.

Mr. Frare offered to serve as a representative for State Government.

Mr. Maruska nominated Janice Zahn to serve on the committee representing Ports.

Chair Schacht nominated Oliva Yang representing Higher Ed.

Ms. Kondelis offered to serve on the committee as well.

Chair Schacht said the committee would be comprised of approximately 12-14 members. All committee meetings are open to the public and participation is encouraged. He has initiated some outreach to the minority business community and is seeking individuals who are interested and focused on the subject to help identify individuals who can contribute to the dialogue. Adequate representation from eastern Washington is also important because of different challenges and issues to address.

Mr. Maruska inquired about the possibility of Ms. Yang contacting the City of Spokane to solicit participation on the committee. Ms. Yang affirmed she would be contacting Mr. Towhig, as well as the City of Richland.

Mr. Frare recommended contacting small design firms, small contractors, and small specialty contractors.

Rebecca Keith moved, seconded by Robert Maruska, to appoint Walter Schacht, Bill Frare, Janice Zahn, Aleanna Kondelis, and Oliva Yang to serve on the Business Equity/Diverse Business Inclusion Committee with additional appointments considered by the Board at the May meeting. A roll call vote approved the motion unanimously.

Date Collection Implementation Committee – Discussion & Action

Chair Schacht invited Ms. Kondelis to update the Board on the status of efforts by the committee.

Ms. Kondelis reported on progress by the committee. Members have worked with the PRC and added additional questions to both the certification application and recertification application requesting additional information about GC/CM, specifically information on subcontracting. The first round of efforts would ascertain the type of information that is available and how owners, owner representatives, and GC/CM contractors are collecting and reporting on subcontractor utilization. Future efforts include analyzing the data to document similarities. Additionally, a letter was forwarded to public bodies explaining the data collection process and desired data for submittal. The PRC website has been updated to include information on data collection as well. Six public owners have been identified for submittal of data to include Sound Transit and the University of Washington.

Mr. Maruska asked whether previously collected data would be abandoned. Ms. Kondelis responded that at this time, efforts have focused on identifying information to be collected to help develop a standardized collection format. Following completion of those efforts, members will begin evaluating existing information. Currently, there is no requirement for public owners to input data. Ms. Kondelis said the certification and recertification application provides project information. Members will use that information in addition to asking additional questions about subcontracting for GC/CM projects and then revisit what other information to collect following analysis of the initial information. At this point, no previously collected data would be discarded.

Project Review Committee – Information

Chair Schacht invited Ms. Zahn to provide a PRC update.

Ms. Zahn, Chair, PRC, reported on the results of the January 24, 2019 meeting. During the business portion of the meeting, members welcomed three new members: John Palewicz, Higher Ed; Jeff Jurgensen, Construction Manager; and Thomas Golden, Design Industry – Architect. With the appointments of Kyle Towhig and Timothy Buckley, five members are from eastern Washington. The five eastern Washington members represent General Contractors, Construction Manager, Architect, and Owner.

Members shared information on lessons learned and 2018 statistics. Members discussed the CPARB assignment to add language encouraging applicants to read the Design-Build Best Practices Guidelines and attend any relevant training. Members agreed to add additional language to all applications asking applicants to “Please describe your subcontractor outreach and how you will encourage small, women and minority-owned business participation.”

PRC Panels received two project presentations for GC/CM. Public Utility District #1 of Chelan County submitted its application for construction of a multi-building Service Center campus. The second application was from the Puyallup School District No. 3 for the Ballou Junior High School project. Both applications were approved unanimously.

Members considered Lake Washington School District’s request to withdraw its owner GC/CM re-certification application as some representatives were unable to attend. Members agreed to defer review of the application until the March meeting.

The two approved projects totaled \$137 million.

An addendum was forwarded to owners seeking GC/CM recertification to advise them of the information needed for data collection on self-performance. Seven owners are scheduled for GC/CM recertification this year. They include the University of Washington, Sound Transit, Northshore School District, Lake Washington School District, DES, Tacoma Public Schools, and the Port of Seattle.

Mr. Maruska asked whether the exclusion of veterans from the language was an oversight or intentional. Ms. Zahn said the addition of “veterans” could be included as it was an oversight. The committee also discussed potential revisions to the bylaws to include language that speaks to the process of recertification. The recertification application will be revised for consistency and will include a request to include three years of project data.

Chair Schacht thanked Ms. Zahn and PRC members for their work and efforts.

Design-Build and JOC Committee Status – Discussion & Action

Chair Schacht reported the Design-Build and JOC Committees are currently not meeting. CPARB introduced two bills to the Legislature. He asked for feedback on whether to retain the committees or dissolve the committees.

Mr. Frare advised that given the bill has not passed at this time and in the event the bill does not pass, he recommends not dissolving the committees until the May meeting.

Mr. Maruska added that should the bill pass, JOC authorities would be expanded and it might be important to retain the JOC Committee to support future efforts. The committee was also working on some data for the annual report and not just on the legislation.

Tae-Hee Han, Chair, JOC Committee, reported the committee recently met on January 31, 2019. Members discussed many tasks involving data collection, past practices, and WMBE participation prior to changing focus to work on changes to the RCW. At the January meeting, members focused on past practices for new users that will utilize JOC should the bill pass. Members agreed to change the meeting format to a work session to develop best practices beginning with procurement. Ms. Kondelis plans to collect some examples from other agencies. Bob Bourg from DES offered to provide some examples from DES. Moving forward, the committee will expand into other areas within best practices.

Chair Schacht conveyed the Board’s appreciation for the committee’s continuing efforts.

Mr. Maruska asked that the JOC Committee also include guidance on the apprenticeships because public owners have no experience with apprenticeships.

PROPOSED LEGISLATION

Other Legislative Proposals

Chair Schacht shared that he was notified that Senator Karen Kiser, a sponsor of SB 5457 (Companion to HB 1571), would request the Board to render an opinion on the proposed bill. That request did not occur. He asked members about their level of awareness with respect to the bill that addresses naming of subcontractors by prime contract bidders on public works contracts.

Mr. Maruska asked whether the goal is for the Board to establish a position on the proposed bill. Chair Schacht said the request is only for feedback.

Mr. Frare reported he met with both the sponsors from the House and Senate. He shared his personal opinion with the sponsors. The bill would increase risks and create an opportunity for delayed protests or legal action. Both sponsors expressed concerns about bid shopping and do not believe the proposed bill has any traction. When he identified himself as a member of CPARB, the discussion pivoted to whether the Board would want to review the concept as a problem. He advised them to contact the Chair to discuss the request. Mr. Frare said he recognizes that there are problems associated with bid shopping. Both sponsors understand it is not a comprehensive problem with all contractors, but essentially, it involves some “bad players” in the industry. Neither sponsor views the proposed bill as a solution but they want to address it as an issue. At this time, he does not believe it is important for the Board to offer a position.

Brent LeVander said he has concerns with the language that speaks to “all subcontractors” as there are many packages under development at the time of bid. To have a comprehensive list publicized after an award would be a challenge, problematic, and difficult for the public owners to enforce at some level.

Mr. Maruska shared that representatives from Washington Public Ports have discussed the bill with the sponsors and testified on the bill reflecting similar comments that DES and other public owners have expressed. He agreed with Mr. Frare's position that there is no immediate need to render a position on the bill today.

Ms. Deakins reviewed a list of bills of interest to the Board:

- **HB 1295 (Companion)– Concerning public works contracting procedures** – sponsored by CPARB
- **SB 5656 (Companion) - Concerning public works contracting procedures** – sponsored by CPARB
- **HB 1072 – Enhancing the prevailing wage laws to ensure contractor and owner accountability and worker protection.** Mr. Frare reported that HB 1072 would require the prime contractor to be responsible for prevailing wage for all subcontractors. DES has expressed concerns to the bill sponsors about the proposed legislation.
- **HB 1202 – Public Works and procurement.** Ms. Deakins reported the bill includes a number of requirements for OMWBE to identify levels of participation in public contracts. Mr. Frare added that the first seven sections of the legislation provide OMWBE with investigatory authority to investigate fraud. Section 8 addresses small works and increasing limits. Washington Public Ports representatives testified on five concerns in Section 8. One concern surrounded language that would waive retainage while affording rights to labor to pursue retainage. Mr. Maruska said another concern was the provision requiring a JLARC review in 2020 on the effects of the bill. Washington Public Ports representatives recommended moving the requirement to 2021 and including a request for CPARB to send out a questionnaire to obtain the information. Mr. Frare added that the prime sponsor is not receptive to any amendments at this time. Vice Chair Keith recalled that the first seven sections apply to state agencies and not to other public owners. The last section includes some of the elements of a small works bill CPARB previously supported. However, the section is different in several respects. It might be of interest for members to review. Public hearings have been conducted on the bill. Ms. Deakins reported the bill has passed out of the House Committee and was referred to the Appropriations Committee. Chair Schacht said it appears no action is necessary from the Board at this time. Mr. Maruska said there are three different small works bills under consideration.
- **HB 1359 Concerning local government procurement modernization and efficiency.** Ms. Deakins said the bill pertains to local government.
- **HB 5565/Companion HB 1395 – Concerning direct contractor liability for payment of wages and benefits.** Mr. Maruska asked about the intent of the proposed bill. Mr. Shinn said that although he is not familiar with the proposal, bonded public works projects are protected by the bond if the contractor does not pay wages and benefits.
- **HB 1418/SB 5458 – Expanding access to building trades apprenticeships**
- **HB 1514 – Establishing wage liens.**
- **HB 1570 – Requiring the use of American or recycled steel products on certain public works.** Vice Chair Keith asked whether the bill aligns with federal requirements, as no exemption was included for federally funded projects. Ms. Deakins said the bill does not include the same language as the federal law.
- **HB 1571/SB 5457 – Naming of subcontractors by prime contract bidders on public works contracts.**
- **SB 5618 – Concerning public works bid limits.** Bill would increase small works roster from \$300,000 to \$500,000 and the Office of Financial Management (OFM) would set new limits every five years.
- **SB 5702 – Concerning the fairness of public works bidding - Concerning public works contracting procedures.** Mr. Maruska provided some background on the bill. Washington Public Ports is working with the sponsor of the bill to address a situation whereby a contractor or bidder requested a summary of the bid documents from the public owner. The allegation is that the public owner did not provide the information until after the time limit expired for submitting a protest, which nullified any attempt to protest by retaining the data. Washington Public Ports has suggested CPARB should develop language amending RCW 39.10 to address the issue specifically and is recommending the sponsor add language that would address the issue.
- **HB 1655 - Establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability.** Mr. Maruska said the bill may or may not have applicability to public works; however, it speaks to a wide range of computer applications that aid in either supporting a decision or making a decision. Common situations would involve using a system when a

large number of resumes are submitted and the system scans all resumes for key words to short list the list to 10 resumes without human intervention. The concern was whether the system would be free from any bias towards various groups. The systems could also include facial recognition. His concern specifically is the way the bill was written so broadly that a spreadsheet used in public works to add points to ascertain the lowest responsive and responsible bidder could be considered under this legislation. He urged members to review the bill.

Ms. Baker asked members to forward any bills that might be of interest to the Board for inclusion on the list.

Mr. Maruska added that another bill; HB 1006 is primarily focused on requirements for utility marking and shifting some liability. Public owners should review the bill. Based on his review of the bill, the proposal appears to be reasonable.

ADMINISTRATIVE Bylaws Revisions

Chair Schacht invited Ms. Baker to present the proposed revisions to the bylaws.

Ms. Baker said the proposal is to add a section on travel reimbursement. According to the DES Travel Desk, the provisions should be included within the bylaws or reimbursement would be similar to reimbursements for a DES employee. A new section has been added.

Chair Schacht said the action was motivated by a question he asked as to whether travel was reimbursable when the Vice Chair, Chair, or other Board members traveled to Olympia to advocate on behalf of HB 1295 (as an example). The intent of the question was to seek clarity. The proposal is introduced for consideration by the Board with action scheduled on the proposal during the May meeting.

Ms. Deakins and Ms. Baker added that Board members would not receive reimbursement for travel until the proposal is adopted. Mr. Frare pointed out that any amendments to the bylaws require an affirmative vote of 12 or more of the 19 eligible voting members. Chair Schacht recommended enabling discussion on the proposed changes and deferring action until the May meeting.

Ms. Baker said she could follow-up on any questions with the Travel Desk to seek clarification.

Mr. Maruska questioned new language that speaks to Board members eligible to receive a same-day hourly rate for each hour spent in going to a meeting, attendance at a meeting, and returning from the meeting. Ms. Baker explained that the meeting must occur on the same day of travel. A member who leaves at 6 a.m. and returns at 2 p.m. would qualify as a same-day meeting event. Reimbursement would be applicable to when the member left and when the member returned based on an hourly rate calculated on a 24-hour formula in the county where the meeting was held. The per diem for Thurston County would be divided by 24 to determine the hourly rate for reimbursement.

Chair Schacht explained that his initial question pertained to whether Board members who are serving at the direction of the Board (Chair, Vice Chair, Committee Chair) who travel to Olympia to testify, advocate, or seek a bill sponsor would receive reimbursement for mileage.

Mr. Maruska said the proposal is substantially different from how the Board has operated in the past, as the Board was only eligible to receive reimbursement for mileage. His question is whether adding the provisions to the bylaws would mandate the Board to follow the provisions. Ms. Baker responded that staff has been processing reimbursement requests with the hourly rate included for at least the last three years and prior based on her knowledge. The formula was provided by the DES Travel Desk.

Ms. Deakins said some members waived reimbursement of the hourly rate but elected to receive mileage reimbursement only.

Ms. Baker said some members are subject to road tolls, which is also reimbursable. The CPARB bylaws also apply to the PRC. The same formula is used for PRC meeting reimbursements as well.

Mr. Shinn inquired as to whether PRC members who fly from eastern Washington receive reimbursement for their airfare. Ms. Baker affirmed that airfare is reimbursable. The average reimbursement claims are for parking, airfare, Uber/Lyft, baggage fees, and time. All members must also be registered in the Statewide Vendor Payment System and receipts are required.

The Board discussed whether delaying action would impact reimbursement for PRC members. Ms. Baker offered to follow-up with the Travel Desk to ascertain whether amended bylaws by the PRC would suffice to receive travel reimbursement during the interim.

Chair Schacht asked whether incurred travel expenses would be compensated later should the Board not act to approve the amendment to the bylaws until May.

Ms. Deakins pointed out that the proposed changes are codifying an existing practice and the application of formulas.

Chair Schacht suggested enabling members to submit travel expenses and follow up with action in May to adopt the amendments.

Members discussed the effective date and agreed to establish an effective date of January 1, 2019.

Vice Chair Keith noted the proposed provisions specifically refer only to the Chair for legislative duties, yet later in the policy, the provisions speak to the Board and committee members. Some PRC members traveled to Olympia to testify in support of CPARB bills. She asked about the possibility of including PRC members, as eligibility under the RCW requires provisions in the bylaws to reimburse PRC members. Ms. Baker replied that since the PRC is under the umbrella of CPARB and all PRC members are included.

Chair Schacht affirmed the proposed amendments would be included on the May agenda for action.

Draft Agenda for May 9, 2019 Meeting

Chair Schacht and members offered input on the following May meeting agenda topics:

- PRC Report
- Education/Outreach Committee Report
- Reauthorization Committee Report
- Proposed Business Equity report
- Data Collection Committee Report
- Amendments to Bylaws
- JOC Committee Report
- Update on RCW 39.10 (CPARB Legislation)
- CPARB Budget Report – Bill Frare/Nancy Deakins
- PRC Position Appointments

The Board discussed the potential of extending the meeting to accommodate interviews and appointments of PRC candidates. Ms. Baker advised that she reserved the meeting room for the entire day on May 9, 2019 should the Board extend the meeting. Chair Schacht suggested extending the May meeting to 1 p.m.

Mr. Maruska asked whether DES submitted a new revised budget request for CPARB. Mr. Frare advised that his intent for providing a report is to provide visibility on how the Board expends its budget.

Chair Schacht commented on the difficulty of soliciting PRC candidates. He is unsure as to the circumstance causing a lack of candidates because previously, the Board received many applications for open positions.

Ms. Baker advised that she submits announcements on PRC position vacancies in the Daily Journal Commerce, as well as the Spokane Daily Journal Commerce. The PRC Chair and Vice Chair continually remind members to reach out to

different constituencies. Board members should also reach out to constituents. Vacant positions are also posted on the PRC webpage under "PRC Recruitment." Vice Chair Keith noted the PRC currently has six vacant positions.

A question arose as to whether the Board should leave positions vacant until more candidates apply, which could impact the PRC achieving a meeting quorum.

Chair Schacht said it is likely possible to attract candidates for the General Contractor position from eastern Washington. He offered to speak to Jerry VanderWood following his testimony on behalf of SB 5656 in addition to speaking to Andy Thompson.

Ms. Baker noted that several PRC members with expiring terms have indicated a desire to reapply.

ADJOURNMENT

Bill Frare moved, seconded by Robert Maruska, to adjourn the meeting at 12:12 p.m. Motion carried unanimously.

STAFF & GUESTS

Talia Baker, Department of Enterprise Services
Timothy Buckley, MENG Analysis
Nick Datz, Sound Transit
Nancy Deakins, Department of Enterprise Services
Valerie Gow, Puget Sound Meeting Services
Taw-Tee Han, Sound Transit
Janet Jansen, Department of Enterprise Services
Mynor Lopez, OMWBE

Scott Middleton, MCAWW
Mark Ottele, Granite Construction
Shari Purves-Reiter, Department of Labor & Industries
Robynne Thaxton Parkinson,
Kyle Towhig, City of Spokane
Oliva Yang, Washington State University
Janice Zahn, Port of Seattle/PRC

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net