

## GC/CM Committee

### Meeting Summary July 2, 2019 (Meeting #1)

1. Chair Datz called the meeting to order at 1:45 p.m. A quorum was established.
2. Committee members in attendance, including by phone: Nick Datz, Scott Middleton, Rebecca Keith, Todd Mitchell, Penny Koal, Joaquin Hernandez, Santosh Kuruvilla, Shannon Gustine, Janice Zahn, Josh Kavulla, Lisa van der Lugt, Sam Miller.
3. Stakeholders in attendance: *see* Sign In sheet. Also, Joe Klein, Becky Blankenship, Curt Gimmetstad, John Cross, and Steve Wood participated by phone.
4. Introductions: self-introductions and experience with GCCM procurement.
5. Administrative Requirements
  - a. **M/S/P** to appoint Nick Datz and Scott Middleton as co-chairs
  - b. Discussion about CPARB Bylaws allowing either “meeting record” or “minutes” and pros/cons of each. Committee okay with meeting record for now.
  - c. Discussion about CPARB Bylaws allowing proxies and that proxies can vote. Committee okay with proxies. Proxies okay if committee members provide advance notice to co-chairs about an absence, who the proxy is, and confirms that the proxy has authority to act on behalf of the group represented by the absent member.
  - d. Co-chairs reminded committee that these meetings are subject to the Open Public Meetings and Public Records Acts. Thus, we need to keep a meeting record. Though we will not take many formal “actions,” we need a quorum to hold any meeting. Be careful about email discussions. Proxies count towards quorum requirements and they can vote.
  - e. Discussion about use of DES cloud software called “Box” and storage of documents there for public records purposes.
  - f. Ground rules and important of meeting attendance discussed.
6. Committee Agenda
  - a. Reviewed mission/objective of committee, as defined by CPARB: *Evaluate best practices of GC/CM procurement – what is working and not working, provides summary of best practices to CPARB, identify outcomes that could be achieved, document changes to the statute and recommend those changes.*
  - b. Committee’s timeline discussed, as defined by CPARB.
  - c. Discussion about sunset of RCW 39.10 in June 2021 and this committee’s coordination with reauthorization committee. Rebecca Keith chairs the reauthorization committee and Scott Middleton is on the committee. Plan would be for this committee to meet at least two more times before September and provide an update to the reauthorization committee in mid-September 2019 and to CPARB at its September 12, 2019 meeting.

- d. It was suggested this committee review GC/CM statutes section-by-section. Also suggested that we look to outside experts and other states for lessons learned. Committee consensus was to consider this approach, but only if necessary during review.
  - e. Is there available data or data collection efforts that can help inform our discussion?
7. What is working/not working with GC/CM procurement?
- a. All in attendance given the opportunity to express what is working, not working, and other concerns they have with GC/CM procurement.
  - b. Concerns expressed include but are not limited to the following:
    - i. GCs - lack of fairness with bid openings; no opportunity to negotiate terms and conditions away from RFQ/RFP; slow payment by owners, especially with change orders; use of risk contingency to pay for change orders and this process is also too slow; GC/CM process is too prescriptive; DB procurement provides more cost certainty; owner's budget not always accurate; E/M CCM's costs always rise and that is frustrating; struggle to lock down MACC in GCCM market; does public pay more with GC/CM than D-B-B; owners have concerns about execution whereas contractors have concerns about procurement
    - ii. Architects - E/M CCM project team that is part of the proposal process is not the same team that delivers the project which creates a lack of continuity between design and deliver which is a problem; More "skin in the game" for contractors in DB, so they pay closer attention in this procurement method; DB has advantage over GC/CM because entire team is together
    - iii. Public owners - some of the concerns about fairness with bid process and payment may be outside of GC/CM and this committee's objective; early cost certainty is paramount and GC/CM makes that difficult to achieve; need to get trade partners involved early; too much of a hassle for owners having to get in between architects and contractors.
    - iv. Subcontractors – MCCM concerns.
8. Follow-Up Items
- a. Meeting Summary – Nick and Scott to prepare and circulate
  - b. Written Comments – all in attendance asked to submit written comments about what is working, not working, etc. to Nick and Scott; Nick to put these concerns in matrix format.
  - c. Scheduling of future meetings – Scott to send out Doodle poll and schedule through 2019.
9. Meeting adjourned at 3:08.