

CAPITAL PROJECTS ADVISORY REVIEW BOARD

Via Zoom

Meeting Minutes – Amended

December 8, 2022

MEMBERS PRESENT	REPRESENTING	MEMBERS ABSENT	REPRESENTING
Janice Zahn (<i>Chair</i>)	Ports	Bobbie Forch, Jr.	Disadvantaged Bus.
Bill Dobyms (<i>Vice Chair</i>)	General Contractors	Erik Martin	Counties
Corey Fedie	Public Hospital Districts	Mark Nakagawara	Cities
Lekha Fernandes	OMWBE	Rep. Mike Steele	House (R)
Senator Bob Hasegawa	Senate (D)	Rep. Steve Tharinger	House (D)
Bruce Hayashi	Architects	Senator Judy Warnick	Senate (R)
Janet Jansen	State Government		
Santosh Kuruvilla	Engineers		
Keith Michel	General Contractors		
Karen Mooseker	School Districts		
Irene Reyes	Private Industry		
Mark Riker	Const. Trades Labor		
Linneth Riley Hall	Transportation		
John Salinas II	Specialty Contractors		
Mike Shinn	Specialty Contractors		
Kara Skinner	Insurance/Surety Industry		
Josh Swanson	Construction Trades Labor		
Robynne Thaxton	Private		
Olivia Yang	Higher Education		

Staff & Guests are listed on the last page

CALL TO ORDER & ROLL CALL FOR QUORUM

Chair Janice Zahn called the Capital Projects Advisory Review Board (CPARB) virtual meeting to order at 8:01 a.m.

A roll call of members established a meeting quorum.

WELCOME BOARD MEMBERS & INTRODUCTIONS

Chair Zahn welcomed members. She acknowledged and thanked members for their efforts as members have been meeting monthly since September as well as attending and participating in committee meetings.

APPROVE AGENDA – *Action*

The report on the Small Works Committee was moved forward to accommodate schedules. The meeting minutes of September 1, 2022 and October 13, 2022 were deferred for approval. An update from the GC/CM Committee was deferred to the December 2022 meeting. The Board agreed to move the schedule of some reports on the agenda to account for meeting time.

Irene Reyes moved, seconded by Olivia Yang, to approve the agenda as amended. A voice vote approved the motion unanimously.

APPROVE 9/8/2022 & 10/13/2022 MEETING MINUTES

Deferred to the next meeting.

INVITATION FOR PUBLIC COMMENTS – *Information*

Vice Chair Dobyms invited public comments.

Bob Armstead, representing the National Association of Minority Contractors (NAMC), commented on the success of CPARB and other state agencies for contributions to OMWBE's Annual Report. The report reflects women and minority (business) participation and expenditure of state funds decreasing from 2020 to 2021 from 3% to 2+% and the percentage participation level for Blacks was less than 2/10^{ths} of one percent. The Department of Enterprise Services (DES) in its annual report documents expenditures surrounding women and minority groups were less than one percent. As he has listened and participated in CPARB and committee meetings for the last 12 years, strong emphasis by Board members has been to protect the interests of their respective organizations and agencies and not the interests of the state. There are grave concerns within the communities concerning the reports. Four legislative representatives serving on CPARB as well as the Legislature and the Governor's Office have been asked to review how CPARB was originally created. NAMC is

requesting massive changes as to the Board's original composition and that there should be some type of accountability for the actions of CPARB. He is hopeful that there will be some substantial changes as everyone should be embarrassed by the numbers.

Mike Shinn spoke as a member of public. He cited the tracking of jobs regardless of whether they are public or private agencies and the availability of systems to track minority participation. It is unnecessary to delay reviews of information until projects are completed because monitoring results during the course of a project is possible. Data can be accessed from the Department of Labor and Industries (L&I) website on hours worked on a project as information is reported weekly. If systems were utilized more frequently, many of the issues could be resolved in terms of the lack of participation by women and minority on projects.

CHAIR REPORT – Information

Chair Zahn noted that the Board does not typically respond to public comments but through the work of the Board and its committees, public feedback is considered.

Chair Zahn provided a verbal Chair report. The majority of her time was in support of the Board by attendance at committee and organization meetings and following up with chairs of committees with proposed legislative bills. She also worked on the Port of Seattle's recertification for GC/CM and Design-Build, which was approved by the Project Review Committee.

BOARD ENGAGEMENT– Information

Board Member Opening Thoughts/Shared Commitments

Chair Zahn said that in spite of the volume of agenda items, it is important for the Board to begin meetings with an opportunity to speak and renew the Board's Shared Commitments. The Board's Shared Commitments are published on each meeting agenda. Each shared commitment describes the commitment approved and supported by the Board. Chair Zahn invited opening comments from members.

Members individually shared their respective thoughts about their personal preparedness for the meeting, the impact of the pandemic over the last several years, the importance of ongoing engagement with other members and constituents, listening to understand and willingness to learn, and their intent and optimism to accomplish meeting goals. Several members mentioned the numbers cited by Mr. Armstead and conveyed optimism on moving forward to improve outcomes.

Senator Hasegawa joined the meeting at 8:27 a.m.

COMMITTEE REPORTS

Small Works Committee – Information/Action

Bill Frare, Co-Chair, acknowledged the participation and the work by everyone to draft legislation for consideration. The effort involved a tremendous amount of collaboration, as well as compromise to draft proposed legislation. He introduced committee member Dawn Egbert with the Port of Vancouver, and Jon Rose with Municipal Research and Services Center (MRSC), who assisted the committee.

The proposed legislation for Small Works Roster is an update and revision to the process to increase administrative efficiency, to encourage greater participation and utilization by women-, minority-, and veteran-owned business and small business entities, and to protect the rights of workers engaging in public works projects. The goal is to create an environment that enables competition between like firms.

A proposed change in the definitions section within RCW 39.04.010 is the addition of "authorized local government" for clarity. The "small business" definition was redefined as a business meeting certification criterion for size, ownership, control, and personal net worth adopted by the Office of Minority & Women's Business Enterprises (OMWBE) in accordance with RCW 39.19.030. The proposal is intended to level the playing field for smaller contracting levels with the objective of developing firms to gain both bond and project experience by working with public agencies.

Within Section 3, the proposal is in response to feedback from the minority and small-business community about the difficulty of registering with numerous small works rosters across the state. The intent of the language speaks to offering a one-stop option to sign up once to increase the efficiency for contractors as well as for small companies seeking contracts. However, many state and local agencies want the ability to maintain their respective rosters. The proposal is for MRSC to serve as the point of contact for the Small Works Roster for the state that could be possibly divided by regions or counties with rosters eventually migrating to the MRSC process as trust develops on the process. It is the intent of DES to serve as an example by moving forward by transferring its small works roster to the statewide roster managed by MRSC. Another concern was the cost to small businesses to pay for placement on the roster through MRSC. The proposal removes the fee component to eliminate barriers for small businesses.

Under Section 4, the contracting process was previously divided by Small Works and Limited Public Works with a pick 5 option and a pick 3 option. The proposal changes the section to provide uniform small works roster provisions to award contracts for construction projects. Within subsection 2, provisions were changed to reflect that for small public works projects with an estimated cost less than \$150,000, not including sales tax, to increase the utilization of small businesses, state agencies and local governments are encouraged to and may direct contract with small businesses, before direct contracting with other contractors on the appropriate small works roster without a competitive process based on a number of factors:

- (a) if there are 6 or more contractors meeting the definition of small business on the applicable roster, the state agency or authorized local government must direct contract with one of those small businesses on the applicable roster that have indicated interest in performing work in the applicable geographical area.
- (b) if there are 5 or less contractors meeting the definition of small business on the applicable roster the state agency or authorized local government may direct contract with any contractor on the applicable roster.
- (c) it is the intent of the legislature to increase utilization of small, minority-, women-, and veteran-owned businesses. Each state agency and authorized local government shall establish a woman-, minority-, and veteran-owned business and small business utilization plan. A state agency or authorized local government engaging in direct contracting may not favor certain contractors on the appropriate small works roster by repeatedly awarding contracts without documented attempts to direct contract with other contractors on the appropriate small works roster.
- (d) if the state agency or authorized local government elect not to use the methods outlined in section 4 sub(a) or (b), they may not use direct contracting and must invite bids by electronically notifying all contractors on the applicable roster that have indicated interest in performing work in the applicable geographical area as described in section 4 sub (1).

Under Section 5, the proposal includes language to ensure thresholds are maintained. The proposed language, effective in 2025 and every five years thereafter would require the CPARB to review construction cost escalation data for Washington State that is readily available in industry publications, roster utilization, and other appropriate data and metrics, and make recommendations to the Legislature on adjustments to the contracting thresholds described in Section 4 of the Act. The proposed language is important for the Legislature because the Legislature has often been approached by different entities promoting different legislation to update thresholds.

Proposed changes in Sections 6 through 25 are provisions linked to Small Works Roster legislation. Previously, thresholds have been imbedded in legislation for port districts, counties, special districts, public utility districts, and others. The proposal removes those individual thresholds and links the thresholds to Small Works Roster legislation. By updating the thresholds in multiple acts to match Small Works Roster legislation, thresholds would be automatically updated for all entities providing consistency across the state and in a format enabling the Legislature to update only one Act rather than numerous Acts. Section 19 is an exception with respect to updates as it pertains to bonds and requirements by L&I offering an exemption for projects less than \$2,500 not requiring a bond. In the future, the exemption would be increased to \$5,000.

Dawn Egbert, Procurement Services Manager for the Port of Vancouver, reviewed Frequently Asked Questions for the proposed legislation. In Section 2, the intent of the legislation is addressed. Section 2 provides information on changes to the definitions. The two sections are important as they set clear expectations of the legislation and the goals established within the Act. The proposed legislation involved collaboration to ensure an efficient process both for agencies and for those entities subject to the laws that have encountered difficulties in understanding the rules. Section 3 speaks to the foundation for establishing, maintaining, and utilizing Small Works Rosters and how MRSC's role will be expanded and enhanced to create a statewide roster for contractors and agencies.

Jon Rose, Finance Manager with MRSC, reported the entity is funded by the Legislature to provide research and educational support to local governments within the state. MRSC is represented on the committee by Josh Klicka. They both provide MRSC resources in support the committee.

Currently, MRSC has provided and administered a Small Works Roster for 15 years serving approximately 80% of agencies across the state. MRSC provides three rosters for small works, consultants, and vendors. As mentioned by Co-Chair Frare, MRSC plans to work with the committee and stakeholders over the next year to address some of the issues that have been communicated to produce a streamlined and efficient process accessible to all local and state government entities and the contracting community.

Ms. Egbert reported Section 4 outlines competitive bidding and direct contracting tools. Section 5 sets the rotation cycle for regular review of the public works threshold, and Section 6 covers corresponding/affected statutes for agencies authorized to use the provision of the Small Works Roster legislation. She reviewed a list of frequently asked questions and responses on the proposed legislation:

- What is new in the proposed legislation change for Small Works Roster?**
 An update and revision to the process to increase administrative efficiency, to encourage greater participation and utilization by women-, minority-, and veteran-owned business and small business entities, and to protect the rights of workers engaging in public works projects.

Previous Statute Overview:

Public Works Categories	Threshold	Competition Requirement	Retainage Requirement	Bond Requirement	Bond Requirement
Limited Public Works	< \$50,000	Small Works Roster Process, Invite Quotes from All or select minimum of 3	Public Owners allowed the option to assess risk and determine waiver of retainage	Allows waiver of bonds	Allows for combined intent/affidavit forms per 39.12.040 (2) Otherwise, Individual Intent/Affidavits Required
Small Works	\$50,000 - \$250,000	Small Works Roster Process, Invite Quotes from All or select from minimum of 5	Public Owners allowed the option to assess risk and determine waiver of retainage	Allow 10% retainage in lieu of Bond for public works contracts under \$150,000	Individual Intent/Affidavits Required
	\$250,000 – \$350,000 *\$300,000 for Port and Irrigation Districts	Small Works Roster Process, Invite Quotes from all Contractors on Rosters	Public Owners allowed the option to assess risk and determine waiver of retainage	Performance & Payment Bond Required	Individual Intent/Affidavits Required

Proposed Legislation Overview:

Public Works Category	Threshold	Competition Requirement	Retainage Requirement	Bond Requirement	Intent/Affidavit Requirement
Small Works	Under \$150,000	1) Contract through direct negotiation with equitable distribution OR 2) solicit quotes from all on the appropriate roster	Under \$5,000 – No retainage Required All remaining contracts - Public Owners allowed the option to assess risk and determine reduction or waiver of retainage	Under \$5,000 – No bond Required Allow 10% retainage in lieu of Bond	Under \$5,000 – Combo Forms allowed Individual Intent/Affidavits Required
	\$150,000 – \$350,000	Invite Quotes from all Contractors on Rosters	All remaining contracts - Public Owners allowed the option to assess risk and determine reduction or waiver of retainage	Performance & Payment Bond Required	Individual Intent/Affidavits Required

- **What is the public works threshold...does it increase the dollar limit for the Small Works Roster?**

This act sets the threshold for public works at \$350,000 and standardizes that dollar value for all agencies authorized to utilize the Small Works Roster Act. Small Works Roster projects are those public works with an estimated cost under \$350,000 exclusive of WA state sales tax. The previous limited public works threshold of \$50,000 is replaced by a new threshold of \$150,000 and allows for direct contracting under certain conditions. For projects \$150,000 or less, the public body may send notice to bid to all firms on the roster category, or the public body may contract directly with a firm on the roster category. There is a preference for small business built into the act to encourage the utilization of these contractors.

Ms. Egbert commented on the angst and anticipation conveyed as to an increase in the threshold. The committee and stakeholders were able to discuss the issues and focused on standardization of the threshold for all agencies. The entities agreed the threshold of \$350,000 was a good starting point and a good compromise. The threshold of \$50,000 was replaced with \$150,000 and allowance for direct contracting under certain provisions.

Another chart included in the Q&A speaks to a recent study of all different government types documenting the different thresholds. The chart includes information on the different statutes for each type of agency and its respective bid threshold. The information can be confusing to the contracting community as each agency's threshold is often different. The committee stressed the importance of consistency in any changes to the statute.

- **Which businesses are eligible to be on the Small Works Roster?**

Small Works Roster is open to all responsible contractors who have requested to be on the list, and where required by law are properly licensed or registered to perform such work in the state in accordance with 39.04.350. Contractors must indicate if they meet the definition of women-, minority-, veteran-owned business and/or small business as defined in this act.

Contractors must keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the state agency or local government as a condition of being placed on the roster.

- **What is considered a small business?**

- "Small Business" means a business meeting certification criterion for size, ownership, control, and personal net worth adopted by the Office of Minority & Women's Business Enterprises in accordance with RCW 39.19.030(7)(b).
- A small business is based on U.S. Small Business Administration (SBA) size standards.
- Average of annual gross revenue less than \$28.48 million, or less depending on NAICS code (*specialty subcontractors are \$16.5 million for example*). Owner's net worth must be \$1.32 million or less, excluding value of primary residence and business.
- The definition of small business matches the federal definition without the requirement for citizenship or permanent resident.
- There is no race or gender preference in the definition or certification of a small business.

- **What are the requirements for direct contracting?**

- For small public works projects with an estimated cost less than \$150,000, not including sales tax, to increase the utilization of small businesses, state agencies and local governments are encouraged to and may direct contract with small businesses as defined in the act.
 - a) if there are 6 or more contractors meeting the definition of small business on the applicable roster the state agency or authorized local government must direct contract with one of those small businesses on the applicable roster that have indicated interest in performing work in the applicable geographical area.
 - b) if there are 5 or less contractors meeting the definition of small business on the applicable roster the state agency or authorized local government may direct contract with any contractor on the applicable roster.
- Invitations for bids or direct contract negotiation must include, at a minimum, an estimate for the scope of work including the nature of the work to be performed as well as the materials and equipment to be furnished. Detailed plans and specifications need not be included

Mr. Rose reported the proposed language provides an additional tool for local or state government agencies to utilize. If an agency does not use the tool, the process defers to the overall solicitation process. MRSC plans to work with the Office of Financial Management (OFM) to identify small businesses on rosters. If there are fewer than six qualifying small businesses, the agency can direct contract with any contractor on the list. The language reflects a compromise by the committee to assist in achieving the three goals of efficiency, flexibility, and supporting the small and diverse business community.

Ms. Egbert reviewed guidance to be provided to public owners:

- **What does the small business certification process look like?**

Certification is a rigorous process to eliminate fraud. Non-certified firms are encouraged to be certified. If found not meeting the definition, a business may not receive preference for small works projects under \$150,000 where direct contracting is utilized.

- **What about specialized work?**

A public body or roster sponsor needs to determine what categories it needs in its roster. Should it believe there is a need for a roster category of various specialized work, then it needs to establish that roster category.

The process of populating all roster categories is as noted above and the process of sending invitations to bid to all firms in the roster remains the same.

- **Why is \$5,000 the threshold at which retainage and bonding is not required (why not higher)?**

Contractors must provide surety bond for their contractor license/registration, which is either \$6,000 or \$12,000, depending on the specialty. This should cover any unpaid wages thereby protecting the rights of the workers.

For contracts greater than \$5,000, the awarding agency may reduce or waive retainage requirements up to \$350,000, thereby assuming the liability for the contractor's nonpayment of: (a) laborers, subcontractors, and suppliers; and (b) taxes.

- **What needs to be included in the Small Business Utilization Plan?**

A stakeholder group will be meeting to include business and agency outreach to define and develop best practices.

- **What documentation is necessary for good faith efforts?**

Annually, a state agency or authorized local government must publish a list of small works contracts awarded and contractors contacted for direct negotiation pursuant to 39.04.200. The list shall contain the name of the contractor or vendor awarded the contract, the amount of the contract, a brief description of the type of work performed or items purchased under the contract, and the date it was awarded. The list shall also state the location where the bid quotations for these contracts are available for public inspection.

Mr. Rose remarked that any changes in process entails some pain points as well as the need to complete much work to complete the process. The committee recognized that over the next several months there would be a need for a stakeholder outreach process to confirm the various issues and work together to develop scopes and solutions. The committee developed a draft of implementation tasks as well as identifying some of the organizations involved in implementing a solution. The goal is to implement the changes by July 2024, while acknowledging that some tasks might require more time to implement.

Initial agency and business community outreach will require a broad group of stakeholders mirroring representation on the Board. A current verification process is required for placement of a company on a roster. The committee received feedback on ways to improve that process, as well as the small business certification process. Some time will be required to work through implementation that is satisfactory to all parties. The committee is developing plans to meet the needs as identified. The supplemental rules may need to be codified through WACs or updates to RCWs. That effort will likely be ongoing through the efforts of DES, CPARB, OMWBE, and L&I with technical support from MRSC. Several technical updates are necessary to the roster portal, as well as receiving additional feedback on potential enhancements. The proposed legislation also prompts a review of service category structures, as well as references to a new function for

geographic identification. The committee will work through those processes. Additionally, there has been and will continue to be great interest in data collection and reporting elements from the new legislation, which presents an opportunity to work jointly with OMWBE L&I, and CPARB to identify data collection points for consumption. Finally, any change in legislation requires training opportunities and best practices for agencies and contractors. Ongoing work will require additional time to analyze and identify some best practices to support agency implementation of the legislation and review lessons learned for a potential second round to improve legislative provisions, as well as creation of a dashboard for rosters existing within the state to help streamline how agencies and contracting companies seek information and registration opportunities. The proposal presents much work moving forward. The first step is solidifying the scope, identifying issues, and working on solutions. The committee identified the different tasks and an initial group of stakeholders for moving forward.

Co-Chair Reyes thanked members of the committee for their time and efforts. During committee meetings, she emphasized the importance of utilization in addition to participation of small and minority businesses. She described how her company had been awarded a contract but never received an order against the contract. The agency could have claimed it was able to attract participation; however, her company was never utilized, which speaks to the importance of stressing both “encourage participation and utilization.” She asked for the inclusion of small business during MRSC’s roster testing phase as a pilot project to ensure changes are user friendly for small businesses. She volunteered to participate in the process.

Lekha Fernandes clarified that some information in the Q&A might be misleading with respect to self-certification as an option as OMWBE does not support any type of self-certification program because the agency would prefer certification is pursued through a certification program. She suggested revising the language within the Q&A as OMWBE businesses have been clear that the certification program should mirror the OMWBE program. Ms. Egbert affirmed language in the Q&A document would be revised to clarify that self-certification is not acceptable and adds confusion.

Co-Chair Frare advised that the request to include “utilization” would be included in the intent section of the proposed legislation.

Mr. Rose confirmed that the testing phase would focus on user friendliness on both ends of the process. He acknowledged the comments of Ms. Reyes in terms of affirming that process.

Chair Zahn commented that the committee’s work was only launched in June 2022. The committee met throughout the summer to reach this point. In early meetings, numerous ideas were exchanged, and the proposal represents areas where progress was attained and areas where compromise was achieved to move the legislation forward. She thanked committee leadership and members for their efforts. She acknowledged Olivia Yang for initiating the Q&A document with Ms. Egbert and Mr. Rose working to create some tools to help everyone understand bill language.

Mr. Shinn inquired about the timeline for achieving legislative approval to roll out the changes. Co-chair Frare explained that once the proposed legislation is endorsed by CPARB, the proposal would be forwarded to the Code Reviser’s Office. DES will seek a legislative sponsor(s) to ensure the proposal has support for introduction of the bill prior to the legislative session for early reviews by legislative committees as the bill moves forward to policy and fiscal committees. After exiting the house of origin, the bill will work through the 105-day session. By early April, the bill should be signed with work commencing as identified by Mr. Rose. If passed, the legislation would be effective July 1, 2024 because of additional efforts required by OMWBE on the certification process, efforts by MRSC for outreaching agencies to update rosters and the process, and some additional work by L&I to update data systems to track the new format.

Mr. Shinn remarked that the intent of the legislation was to help simplify the process; however, it appears it would not be implemented for another 18 months.

Chair Zahn referred to information on Small Works Roster implementation tasks, which describes the steps necessary for the Small Works Roster transformation to be successful. Several steps are necessary for successful implementation of the Small Works Roster certification process. Some tasks will not be completed until July 2024 to ensure all systems are updated to implement changes.

Mr. Shinn asked whether current legislation would prevail. Co-Chair Frare affirmed current legislation would prevail until new legislation is implemented.

Chair Zahn pointed out that one issue not discussed during the update that needs clarity is an opportunity desired by ports and irrigation districts for some provisions to be effective immediately as neither entity is subject to system changes or new small business certification. She asked for the Board's consideration of moving those provisions forward applicable to ports and irrigation while acknowledging the remaining provisions would be challenging to release sooner than July 2024.

Mr. Shinn asked about the value Small Works Rosters generate throughout the year. He was advised that the value is approximately \$500 million annually. Mr. Shinn said it appears that by simplifying a few rules it would be easier to implement quickly. Mr. Rose explained that there are some tasks that could be released sooner while other items that might appear to be simple need supporting structures implemented to ensure the change is effective.

Mr. Shinn conveyed support for the proposal and for the efforts expended on the process while acknowledging that two years is an extensive amount of time based on the value Small Works Roster contracts would generate that over the next two years that could possibly result in some lost opportunities. He recommended exploring ways for moving the process forward quicker.

Chair Zahn asked representatives of affected organizations to share information on the extent of work necessary to implement new processes.

Ms. Fernandes said OMWBE needs to implement some rule changes. OMWBE currently has a roster of certified businesses; however, to ensure a full certification program, the process requires a year to implement.

Jolene Skinner added that similar to OMWBE, L&I would need to pursue some rule changes to implement the proposed changes in the new bill. IT system changes to the prevailing wage and public works systems are necessary to identify different thresholds in addition to changes to the combined form.

Co-Chair Frare addressed questions about the effective date of the legislation if tasks were completed before July 2024. The legislation would be effective July 2024 regardless of completion of tasks. Submittal of legislation with a tentative effective date would be difficult. The combined efforts by OMWBE, MRSC, and L&I require time to implement the infrastructure necessary to support new legislation to achieve some of the goals intended by the proposal. It is unlikely the Code Reviser or the Legislature would accept language that speaks to different effective dates for specific tasks.

Mr. Shinn asked whether it would be possible for a public owner to separate some components of an existing project and pursue contractors through the Small Works Roster. Co-chair Frare replied that the practice is prohibited. Language in the bill prohibits agencies from breaking larger projects into smaller ones.

Michael Transue offered that it is a relatively straight forward process to include anticipated implementation dates, such as *'no later than...'* within the legislation. It is likely the Legislature would be amenable to include tentative implementation dates. He also looks forward to reviewing the Q&As. He referred to metrics in Section 5 as there was a suggestion to include roster utilization. Roster participation and utilization should be considered for inclusion in Section 5. From a metrics standpoint, it is important to understand participation and utilization level as it speaks to the goal of the proposed legislation. Lastly, within Section 2, he recommended including OMWBE, private sector, and labor on the list to ensure all parties are involved in the review.

Co-Chair Frare thanked members for their feedback. He agreed on the importance of implementing the legislation sooner rather than later and invited members to consider contributing on drafting language that speaks to different implementation dates.

Santosh Kuruvilla thanked committee co-chairs for their work and the support provided by MRSC. He inquired about any background information or market analysis completed that speaks to the provisions stating, *"(a) if there are 6 or more contractors meeting the definition of small business on the applicable roster the state agency or authorized local*

government must direct contract with one of those small businesses on the applicable roster that have indicated interest in performing work in the applicable geographical area and (b) if there are 5 or less contractors meeting the definition of small business on the applicable roster the state agency or authorized local government may direct contract with any contractor on the applicable roster.” Co-Chair Frare advised that the numbers reflect previous language that was carried forward. No market research was completed. The Board has the option of recommending a different number. Mr. Kuruvilla said his question is not meant to create a change but rather it might be an issue to explore because it appears to create a higher standard for small businesses. Co-Chair Frare explained that the language ensures agencies have more than one company to consider, as well as ensuring all projects are not awarded to a single company to avoid favoritism of a particular business. The numbers are not based on science but based on legacy. Mr. Kuruvilla suggested an option of changing the number to two or three based on current practices.

Mr. Kuruvilla questioned the accountability of the program within the next several years. Co-Chair Frare responded that he envisions the program would succeed if minority businesses had an opportunity to grow and develop within the program by becoming larger businesses. Accountability measures for both transparency and ensuring favoritism does not exist are embedded throughout the legislation in provisions for reporting requirements, avoiding the use of the same contractor repeatedly without justification, and demonstrating how the agency has attempted to contract with other companies.

Mr. Kuruvilla offered a suggestion to convert one of the graphs into a dashboard for accountability and color coding progress.

Mark Riker acknowledged the extensive amount of work completed by many. No Board member has a vote in the Legislature and by the time the bill is signed in April or May, it will be another 13 to 14 months before fully implemented. However, it might be possible reduce the time by working with a CPARB Legislative member to sponsor another bill to amend the effective date of the threshold of \$350,000 and include a sunset at the time the original bill becomes effective.

Co-Chair Reyes asked whether MRSC’s platform is capable of identifying companies awarded contracts and the amount. If data were available, it could provide accountability as to whether small businesses are being utilized. Mr. Rose advised that the data is available through L&I. The comment speaks to another way to evaluate performance, which the committee, stakeholders, and MRSC plan to pursue.

Ms. Egbert spoke to the comments regarding the number of contractors and although she is not necessarily married to five or six as proposed in the bill, the idea for local government is a number that has consistently been between three to five contractors. During the meetings, members discussed the time necessary to create and collect data, such as creating the roster to enable population and following up on the certification process. Five or six contractors is a good starting point because establishing a low number could result in an insufficient number of contractors or if the number is too high it could impede opportunities. Five and six contractors set the tone and serves as a starting point. In terms of accountability, one of her tasks as a Procurement Services Manager is to ensure the agency complies with law. During the committee’s process, members and stakeholders outreached constituents to ensure the language in the bill was thoroughly vetted. She agreed with Mr. Shinn’s comments in terms of the timeliness of implementation as soon as possible. The current process is convoluted and messy and is often administered differently by agencies. The proposed bill is an important and necessary step to enable agencies to gain an understanding and create processes supporting the changes.

Mr. Armstead agreed with Mr. Kuruvilla as many agencies complete million dollar projects without requiring five or six candidates. Often, the number is typically three or less. The proposal to remove barriers and obstacles for small, women, and minority businesses to participate could be compromised by requiring five or six contractors. The goal to increase the number of certified businesses speaks to the current number of certified firms and of those firms, only a small percentage is utilized. Numbers are not as critical from the community’s position as utilization. He supports Mr. Shinn’s comments as the industry understands timelines and process, which have been utilized to create the unfortunate situation of less than one percent participation today. There are ways to develop language that would enable a number of provisions that could be effective immediately, as well as language instituting processes and procedures that are effective later. He cited an example of an impact caused by delay in implementing the law. Because of covenants, conditions, and restrictions (CC&Rs) and redlining, the Central District in Seattle was the only place Blacks lived for decades. Because of the impact of I-200, many families moved to other areas because of the change from 20% participation to less than 1% participation.

Two years will cause a drastic hardship for those communities. In addition to considering the Board's regular process and procedures, the Board should also consider the cultural and community impact of any delays caused by normal processes and procedures.

In response to the comments conveying the importance of implementing provisions in the bill sooner rather than later, Mr. Rose said he understands the sense of urgency to implement solutions. MRSC strives to ensure the delivery of an effective and swift solution to solve issues. The interest by implementers is ensuring the process is implemented in a way that all users have confidence in the new process. Rolling out a product that fails would be devastating. It is important to weigh both interests and the desire to quickly achieve remediation of existing issues by developing a long-term effective system. There is room to identify tasks that could move forward quickly during the stakeholder process.

Ms. Fernandes confirmed the possibility of providing a list of existing certified businesses. OMWBE's process could pursue a phased approach as existing certified businesses meet the criteria. However, more time is necessary to work through populating the list and providing training. She offered to work with stakeholders on a phased approach.

Ms. K. Skinner acknowledged that OMWBE and MRSC have the most difficult tasks. L&I will require some rulemaking and IT system changes both of which take time. Unfortunately, the process is slow and takes time as IT systems change. The timing issue has been discussed extensively in terms of speeding implementation to January 1, 2024. However, after reviewing different processes, participants agreed an earlier date would not be feasible for implementation. Because all proposed processes are tied to certified businesses, a new roster, and changes to the \$5,000 threshold those changes require concurrent implementation for the changes to become effective.

Co-Chair Frare explained that the Department's role involves updating rules. A WAC would need to be rewritten to encompass the new format requiring a six-to-eight-month process to include the required public process for any rule changes.

Chair Zahn summarized the feedback. Although several the processes can be synchronized, there are tasks associated with rulemaking and other processes that are outside the control of the Board to change.

Co-Chair Frare agreed with the summarization adding that he prefers quicker implementation but understands the timeline required for some processes.

Chair Zahn stressed the importance of transparency on the critical path of implementation.

Linneth Riley Hall expressed appreciation for the work completed by all parties, as well as examining the possibility of implementing some changes sooner rather than later. If possible, phasing might be possible because the Board has sponsored other pilot projects where some tasks progressed slowly. She encouraged consideration of implementing as much of the bill as possible while working to fully implement the bill.

Chair Zahn said it might be possible to include language in the bill that speaks to piloting some components of the legislation with full implementation in July 2024. She queried the Board as to whether it would be possible to include that language in the proposed bill.

Mr. Riker pointed out that as acknowledged by many members during the discussion, the proposal was vetted through an extensive process and any adjustments to the language at this time would require reconvening stakeholders to review proposed changes in language, which would difficult to meet the legislative deadline. It might be prudent to support and move the bill forward and agree on an adjustment in the threshold to \$350,000. Labor would not oppose that course of action.

Chair Zahn recommended considering some amendments to the bill as offered by some members. The first step is a motion to adopt the proposed bill.

Mark Riker moved, seconded by Janet Jansen, to approve the Small Works Roster Amendments as presented.

Linneth Riley Hall moved, seconded by Mike Shinn, to amend the motion adding “utilization” to “NEW SECTION. Sec. 1. [INTENT] The legislature finds that public works contracting agencies need a streamlined and effective method for delivering small public works projects. The legislature further finds that small and minority-, women-, and veteran-owned businesses, are essential to a robust and highfunctioning economy and that small public works projects support those businesses and provide high-quality work to many residents throughout the state. The legislature further finds that the rights of the labor workforce must be protected when issuing small public works contracts. Therefore, the legislature intends to update and revise the small and limited works roster process to increase administrative efficiency, to encourage greater participation and utilization by women-, minority-, and veteran-owned business and small business entities, and to protect the rights of workers engaging in public works projects.”

Mr. Riker supported the proposed amendment.

Co-Chair Reyes offered a friendly amendment to add “utilization” within other applicable sections of the bill.

Mr. Riker was not supportive of including “utilization” within the effective sections of the bill without additional review by the committee, which could create a delay in moving the legislation forward.

Co-Chair Frare clarified that the suggestion by Mike Transue of including “utilization” within Section 5 was for tracking utilization as a metric.

Ms. Jansen supported the proposed amendment as moved.

Ms. Riley Hall noted that other language speaking to “utilization” might benefit from adding “participation and” prior to “utilization”.

Mr. Riker offered that if a company is utilized, the company is participating and the addition is unnecessary. Ms. Jansen agreed.

Santosh Kuruvilla offered a friendly amendment to change references to the number of subcontractors (5 & 6 respectively) in new section. SEC. 4 [contracting through small works rosters] subsection 2 (a) & (b) to reflect “3.”

Mr. Riker and Ms. Jansen did not accept the friendly amendment and it is not reflective of the work of the committee and stakeholders over the last several months.

Ms. Fernandes said the number appears to be arbitrary and asked whether there is an industry standard establishing the number of contractors.

Mr. Riker responded that although he understands the intent, changes to the number would require additional review and investigation by the committee delaying the ability for the Board to endorse the proposed legislation.

Co-Chair Reyes noted the issue was a personal point of contention during the beginning of the process. She does not believe the number is practical. For example, for indirect purchases, agencies do not seek five candidates. She believes three contractors is a reasonable number but supports moving forward as the bill would be reviewed and finalized by the Legislature.

Nancy Deakins pointed out that the Small Works Roster is for contractors and not for consultants. The industry standard for consultant selection is shortlisted to three candidates as consultants are a qualification-based selection while contractors are a bid-based selection.

Chair Zahn cited a recommendation in the chat feature from Mr. Transue adding language to Section 5 following “industry publications” to include “roster utilization, and other appropriate data and metrics.”

Scott Middleton, speaking on behalf of Mr. Transue and as a member of the committee, explained that the proposal for including the language affords the Board with the ability to review outcomes every five years and the flexibility to consider not only costs, but also utilization and other data to track and consider any future legislative changes.

Mike Shinn offered a friendly amendment to add the following underlined language to New Section Sec. 5 [Periodic Threshold Review] Beginning in 2025 and every five years thereafter, the Capital Project Advisory Review Board must review construction cost escalation data for Washington state, readily available in industry publications, roster utilization, and other appropriate data and metrics, and make recommendations to the legislature on adjustments to the contracting thresholds described in section 4 of this act.

The makers of the motion accepted the friendly amendment.

Ms. Egbert mentioned a prior conversation surrounding lowest responsive and responsible bidder. Someone questioned whether the language should reflect, responsive bid and responsible bidder within Section 4. She suggested the language should be consistent with other similar statutes.

Janet Jansen offered a friendly amendment to revise Section 4 (1) to reflect, "For small works roster projects with an estimated cost less than \$350,000, not including sales tax, state agencies and authorized local governments may contract by securing written or electronic quotations to assure that a competitive price is established and to award contracts to the responsible bidder with the lowest responsive bid."

Mark Riker accepted the friendly amendment.

With no other amendments offered by the Board, Chair Zahn called for a vote on the amended motion:

A roll call of voting members unanimously approved the amended motion:

Chair Zahn thanked the committee, stakeholders, and the Board for their efforts over the last six months. The bill is stronger for the engagement. She thanked Mr. Armstead for engaging with the Board while recognizing the bill is not the end but represents the first step of a process to transform the small works rosters that have not meet the mission of administrative efficiency, increasing utilization of small business, and protection of worker rights. She asked members to participate and support the bill as it moves through the Legislature.

Chair Zahn recessed the meeting at 10:43 a.m. for a break.

Chair Zahn reconvened the meeting at 11:01 a.m. A meeting quorum was confirmed.

COMMITTEE REPORTS

Project Review Committee – Information

Chair Jeff Jurgensen reported the committee's recent work focused on processes, updates, improvements to the mentor\Mentee program, and focusing on training. Members reviewed the bylaws and following an additional review and some revisions, adopted the bylaws. The bylaws will be posted on the PRC website. Some provisions addressed in the bylaws included PRC's mentorship program, the process for requesting a special meeting, member conduct as a representative of stakeholder organizations, and the abolishment of public agencies advertising for GC/CM or Design-Build projects prior to the agency receiving PRC approval for the project.

Several Board members acknowledged the efforts by PRC leadership and members for efforts on improvements increasing confidence in PRC's process and for increasing transparency. Chair Jurgensen agreed on the importance of increasing confidence in PRC, as the intent is not to appear to serve as a rubber stamp for approvals. Members are focusing more on prereads and submitting questions prior to presentations to assist applicants in preparing for the presentation.

At the December 1, 2022 meeting, members approved the GC/CM and Design-Build recertification for the Port of Seattle and GC/CM certification for the Mukilteo School District. PRC panels reviewed and approved five project proposals for GC/CM and Progressive Design-Build projects.

Chair Zahn reported that as one of the presenters for the Port of Seattle, she appreciated the clarity of the questions and receiving questions prior to the presentation.

Mr. Kuruvilla cited the report on the Port of Seattle's recertification and the documentation of lessons learned for GC/CM and Design-Build. He suggested consideration of creating a separate Lessons Learned repository or source for lessons learned to monitor any general themes that might emerge from the information. He recommended sharing the information with the GC/CM Committee to assist in its work to develop the GC/CM Best Practices Guidelines.

Mr. Jurgensen agreed a repository of all lessons learned would be beneficial. The information would be helpful to him personally for presentations he provides to his company.

Chair Zahn agreed with the suggestion as the Port of Seattle established a team to prepare for recertification and reviewed lessons learned.

Mr. Jurgensen said PRC is also considering compiling questions on each applicant's proposal about WMBE outcomes prior to presentations to afford time for the applicants to prepare the information to share with the committee.

PRC member Young Song agreed and suggested adding a column within the application to document WMBE outcomes. Mr. Jurgensen served as his mentor when he was first appointed to the PRC. As a newcomer on the committee, the process can be very intimidating. Mr. Jurgensen has been very effective in working with new members through committee processes.

PRC Appointment for Construction Trades Labor – Information & Action

Chair Zahn reported a letter from Kevin Thomas was submitted for the Construction Trade Labor position. She invited Mr. Riker and Mr. Swanson share information about the applicant.

Mr. Riker said the position has been vacant for some time and he reached out to affiliates to receive input on candidates to fill the position. Mr. Thomas conveyed interest in becoming involved. When the Sheet Metal Workers International Association was promoting its *Smart Heroes Program*, a training program for enlisted military members transitioning to civilian life, the Association completed a nationwide search for an instructor. Mr. Thomas was selected despite working from the field and not having any instructor experience. Mr. Thomas approached the task by learning how to become an effective and quality instructor which led to his selection for the position. The position was the first of its kind in the nation for the sheet metal trade. His approach will benefit PRC. He supports the appointment of Mr. Thomas to the PRC.

Josh Swanson echoed similar comments, and although he does not know Mr. Thomas personally, he has heard many positive comments and believes he would be a good addition to the PRC. He appreciates his willingness to participate on the committee and recommends Mr. Thomas for the position.

Chair Zahn invited Mr. Thomas to speak to his letter of interest.

Mr. Thomas thanked Mr. Riker for his support and kind words as the *Smart Heroes Program* represents one of his proudest moments. His focus is on learning about topics and processes. He reviewed RCW 39.10 and was familiar with the issues discussed by the Board during the Small Works Roster discussion and the issues surrounding implementation and accountability. As a union representative, those issues are his area of expertise as he assists disadvantaged businesses attain opportunities, as well veterans and other small businesses. He is appreciative of having the opportunity to serve. He has 25 years of experience in the Sheet Metal workers union with 20 of those years working in the field prior to his selection as the instructor and business representative. He has considerable experience working on construction projects.

Mark Riker moved, seconded by Josh Swanson, to appoint Kevin Thomas to serve on the PRC representing Construction Trades Labor. A voice vote unanimously approved the motion.

Board Development Committee – Information & Action

Committee Chair Robynne Thaxton requested consideration of the revised bylaws incorporating changes approved by the Board at the last meeting. Ms. Fernandes has agreed to serve as Co-Chair. The Board's positive comments concerning PRC's mentoring process is encouraging as this committee is working on finalizing the onboarding and mentoring process and job descriptions. The next task is on conflict of interest with conversations scheduled to begin at the next meeting. Amendments to the bylaws were posted previously and have been included as a pre-read. She encouraged the Board to consider adoption of the bylaws.

Chair Zahn thanked Ms. Thaxton for her efforts on the committee. She thanked Ms. Fernandes for agreeing to serve as Co-Chair. She invited a motion on the bylaws as the redlined version and final copy have been posted on the website.

Bill Dobyms moved, seconded by Mark Riker, to approve amendments to the CPARB Bylaws as presented. A voice vote unanimously approved the motion.

Legislative Writing/Drafting Committee - Information

Co-Chair Olivia Yang reported on the progress of legislation submitted to implement the findings of the Business Equity/Diverse Business Inclusion Committee Report submitted to the Legislature in June 2022. At the November special meeting, the Board approved language to implement the following Business Equity/Diverse Business Inclusion Committee recommendations:

1. Definition of Small Business
2. Remove and replace the term "*Disadvantaged Business*" from RCW 39.10
3. Alternative Public Works Inclusion Plans

Co-Chair Yang invited Ms. Deakins to provide an update on the draft legislation.

Ms. Deakins displayed a summary of the draft legislation. This draft legislation has been forwarded to the Code Reviser. House and Senate companion bills, H-0135.1 and S-0205.1 were drafted with a proposed bill title of "*Equity and Efficiencies in public works procurement.*" The drafts incorporate changes approved by the Board in November. The first two sections add the definition of small business to RCW 39.04.010 and adds public works small business certification program to OMWBE's duties in RCW 39.19.030 (7)(b). Those two sections are included in the approved legislation from the Legislative Drafting Committee as well as in the Small Works Roster draft legislation. The Board has the option of consolidating both bills or moving forward with two bills.

Section 3 adds language to the Intent section of RCW 39.10 for inclusion plans for alternative public works projects.

Section 4-12 replaces the term disadvantaged business enterprises with "*small and women-, minority-, and veteran-businesses*" to eliminate any confusion between the Federal DBE program and the state certification programs. Section 13 updates repealing language effective dates for the revised sections in RCW 39.10.

Suggested changes after internal/external reviews include:

Clarify that the intent is for state certified (small-, women-, minority-, and veteran-owned) businesses within selection evaluation or measurement provisions. Other certification programs by agencies would not be considered in the evaluation factors for selection. The Board has the option of clarifying the intent in provisions for GC/CM, Design-Build, and subcontractor selection.

Co-Chair Yang reported on the comment from CPARB's legal counsel to add more clarity by specifying that certification is only OMWBE certification. She believes that was the intent of the committee and in keeping with the spirit of the discussion, she suggested making the change.

Chair Zahn affirmed a motion would be appropriate. Additionally, Ms. Thaxton has conveyed that her previous concerns were addressed.

Olivia Yang moved, seconded by Robynne Thaxton, to accept the proposal from CPARB legal counsel to clarify within the draft legislation that “certified” means state certified by OMWBE and accept the changes as outlined in the preread dated December 8, 2022. A voice vote approved the motion unanimously.

Chair Zahn asked for feedback on whether there is a preference by members to combine Business Equity/Diverse Business Inclusion Committee legislation with legislation for the Small Works Roster.

Mr. Shinn yielded his time to Mr. Transue.

Mr. Transue suggested pursuing separate bills with the chairs of the respective committees providing a recommendation on combining the bills. Small Works Roster legislation was very specific to the committee and stakeholders. It would be appropriate to submit the bills separately with the option of delegating the decision to combine (at some point in the process) to the chairs of each respective committee. Additionally, if combined, it would be necessary to draft a title applicable to intent of both bills.

Ms. Jansen recommended pursuing separate bills; however, during session, the Legislature could combine the bills, which would be beyond the realm of the Board.

Ms. Reyes supported moving forward with two bills because of different stakeholders and interests represented on each committee.

Ms. Deakins added that the committee also discussed the possibility of the bill sponsors considering whether to combine the bills.

Co-Chair Yang remarked that she prefers deferring any decision to others with more legislative experience. Additionally, Small Works Roster draft legislation would likely include a fiscal note because of MRSC and OMWBE funding. She encouraged members to track and testify in support of the bills.

Subcontractor Bid Listing Policy Evaluation Committee – Information

Co-Chair Bill Dobyng reported feedback was received on the final report from the disadvantaged business community and the design community conveying that they did not believe they were part of the process. Another meeting of the committee was convened to receive feedback from the parties. A representative from OMWBE attended the meeting and listened to the discussions. As no other interests were represented at the meeting, members agreed to schedule another meeting to receive input from the groups.

Chair Zahn noted that Ms. Fernandes previously shared that with other tasks OMWBE has undertaken for the Small Works Committee, resources were limited to send a representative to the meetings. She supports convening another meeting as the diverse community plans to contribute some comments and feedback.

Ms. Fernandes shared that representatives from the WMBE community will be attending and sharing feedback on the topic of accountability.

Chair Zahn suggested the committee should confirm with Ms. Fernandes and others a mutual meeting time and location.

Job Order Contracting Evaluation Committee – Information

Co-Chair Linda Shilley reported the Job Order Contracting Best Practices Guidelines were recently presented to the American Public Works Association Contract Administration Education Committee. Over 100 individuals attended the virtual meeting with good feedback and many questions. Co-Chair Quinn Dolan is working with the AGC Educational Foundation to identify interested parties and a meeting time to present the Best Practices Guidelines.

Co-Chair Shilley advised that as the Procurement Manager for Pierce Transit she asked the committee to present a class to Pierce Transit as the agency recently lost its JOC Program Manager. Additional in-house expertise is required by the agency before issuance of another JOC contract.

At the last committee meeting, members were asked to submit any suggested changes to the guidelines. No comments were submitted.

Co-Chair Dolan reported Aleanna Kondelis-Halpin contacted the committee with a request to support MRSC's efforts to sponsor a presentation on the guidelines in early 2023.

Co-Chair Shilley said the committee plans to meet quarterly in 2023.

Talia Baker asked the co-chairs to forward meeting dates on the presentations for CPARB's website.

LEGISLATION TRACKING/SESSION PROTOCOL – Discussion

Ms. Baker and Ms. Deakins briefed the Board on efforts to create a legislative tracking dashboard. Recent efforts include populating the dashboard with bill numbers, bill information, sponsors, public hearings, and the status of the bill as it proceeds through the legislative process. The information will be updated weekly. The dashboard will feature all bills of interest to the Board as well as bills sponsored by the Board. Mr. Rose recently submitted information on a proposed bill encouraging rural economic development through public contracting. The proposal has not received a bill number or been sponsored at this time. She encouraged members to forward information on any bill that may not be included on the list. Additionally, the Board will receive email updates on the status of bills sponsored by the Board.

NEW BUSINESS

Revitalize Education, Outreach Workgroup & Industry Forum – Discussion

Chair Zahn reported the parking lot includes revitalizing the Education, Outreach Workgroup and sponsoring an industry forum. Because of the volume of work underway by the Board promoting legislative bills, she suggested retaining the items on the parking lot while the Board focuses on passage of the bills. She asked for input on the proposal. Additionally, legislation on the Small Works Roster could serve to provide discussion topics for an industry forum.

Ms. Yang encouraged members to focus on legislation and activate the workgroup after the end of the session. She volunteered to serve on the Education, Outreach Workgroup as the Business Equity/Diverse Business Inclusion Committee Report provides an opportunity for pursuing discussions on ways to support small businesses, procurement, and supporting small businesses for access to capital and training.

Mr. Kuruvilla supported the recommendation because the Board should focus on the legislation. He volunteered to serve on the committee.

Chair Zahn affirmed the Education, Outreach Workgroup and Industry Forum would remain on the parking lot until after the end of session.

ADMINISTRATIVE

Budget Report – Information

Ms. Deakins displayed the Board's current budget for the 2021-2023 biennium. The budget includes the categories of funding and expenses with actuals from July 2021 to October 2022, projections from October 2022 to June 2023, and the total for 2021-2023. Expense categories include goods & services, professional services contracts, salaries & benefits, and travel. The budget forecast reflects a budget balance of \$57,181 at the end of the biennium.

Ms. Deakins shared a pie chart of expenses for each category during the current biennium and a budget comparison between the current biennium and the 2023-2025 biennium. Board travel expenses account for the potential of scheduling in-person meetings, as well as compensation for participants under the new law. More information on meeting attendance compensation will be shared at the February meeting.

Chair Zahn noted that guidance was recently received on meeting attendance compensation. Ms. Fernandes shared information on the guidance in the zoom chat. (*Community Compensation Guidelines from the Office of Equity: <https://equity.wa.gov/people/community-compensation-guidelines>*) The Board has also discussed scheduling future hybrid meetings, which will affect the budget.

Ms. Yang asked whether PRC would continue to conduct virtual meetings. Ms. Baker advised that PRC plans to schedule two hybrid meetings with one located in Eastern Washington and one in Western Washington. She is working with the PRC Chair and Vice Chair to establish meeting dates that do not conflict with major events or during winter when mountain passes periodically close because of weather conditions.

February 9, 2023 Meeting Planning & Draft Agenda – Action

The Board recommended the following topics for inclusion on the February meeting agenda:

- Chair Report
- Committee Reports:
 - PRC Committee
 - Board Development Committee
 - Legislative Writing/Drafting Committee
 - Small Works Committee
 - GC/CM Committee
 - JOCE Committee
- Board member Expiring Terms
- New Business
- Budget Report

CLOSING THOUGHTS - Information

Chair Zahn thanked members for their engagement. Members were invited to share a one or two-word closing thought. Members shared their respective closing thoughts.

ADJOURNMENT

With there being no further business, Chair Zahn adjourned the meeting at 12:26 p.m.

Staff & Guests

Shanika Allen, OMWBE	Erik McCarty, OMWBE
Bob Armstead, NAMC	Art McCluskey, WSDOT
Kim Baker, PS2 Inc.	Scott Middleton, MCAWW
Talia Baker, Department of Enterprise Services	Rachel Murata, Gov Delivery
Nancy Deakins, Department of Enterprise Services	Brenda Portaro, OMWBE
Quinn Dolan, Centennial Contractor Enterprises, Inc.	Cathy Robinson, University of Washington
Dawn Egbert, Port of Vancouver	Jon Rose, MRSC
Sarah Erdmann, OMWBE	Linda Shilley, Pierce Transit
Bill Frare, Department of Enterprise Services	Jolene Skinner, L&I
Curt Gimmestad, Absher Construction	Young-Sang Song, Song Consulting
Theresa Gonzalez, MRSC	Kurt Swenson
Valerie Gow, Puget Sound Meeting Services	Kevin Thomas, Bouten Construction Company
Jeff Jurgensen, OAC Services	Michael Transue, Small Works Committee
Josh Klicka, MRSC	Kyle Twohig, City of Spokane
Brynn Linville, MRSC	Jerry Vanderwood, AGC