

Location: via Teams

Meeting ID: 245 443 935 94 Passcode: tKAuFM

Committee Members: (7 members, 4 = quorum)

- | | | | |
|---|---|---|-----------------------|
| x | Linneth Riley-Hall, Chair, Transportation | | Vacant, OMWBE |
| | Metin Keles, WBE | x | Stuart Moore, AGC Rep |
| x | Santosh Kuruvilla, Engineers | x | Tom Zamzow, AGC Rep |
| x | John Salinas II, Specialty Subcontractors | | |
| x | Robynne Thaxton, Private Sector | | |

Stakeholders and Visitors:

- | | | | |
|---|------------------------------|---|-----------------------------------|
| x | Talia Baker, DES/CPARB Staff | x | Terrence Lynch, WSDOT |
| x | Melanie Baldwin WSDOT | x | Art McCluskey, WSDOT |
| x | John Chi, WSDOT | x | Dana Quam, Washington legislature |
| x | Nancy Deakins, DES | x | Olivia Yang, WSU |
| x | Joseph C. Kline, WSU | x | Janice Zahn, CPARB |
| x | Jessica Letteney, MFA | | |

The meeting began at 3:01 p.m.

Call to Order and Roll Call for Quorum

A roll call of members confirmed the meeting quorum. Chair Linneth Riley-Hall welcomed everyone to the Capital Projects Advisory Review Board (CPARB) WSDOT Project Delivery Method Review Task Force (TF).

Welcome and Introductions

Chair Riley-Hall welcomed attendees and thanked them for participating. She asked for a brief round of introductions, including a bit on how each person can add value to the delivery method review. Chair Riley-Hall represents Transportation on CPARB. She is with Sound Transit as the executive project director for the Federal Way link extension, which is a Design-Build (DB) project. She is also on the Design-Build Institute of America (DBIA) national board, a facilitator and instructor for the Associated General Contractors (AGC) General Contractor/Construction Manager (GC/CM), and she is a Certified Public Procurement Officer (CPPO).

Talia Baker introduced herself as staff support for CPARB and most of the committees. She then facilitated the round of introductions among TF members and meeting attendees.

Santosh Kuruvilla is president of Exceltech Consulting, Inc., and is happy to be participating. He reported that he has 30 years in the industry on the consulting side with extensive experience implementing DB and GC/CM projects and has served as the engineering representative on CPARB.

John Salinas II represents specialty contractors on CPARB. He is the owner of Salinas Construction, Inc., a concrete paving and flatwork subcontractor that has done a lot of work for horizontal civil projects for the Washington State Department of Transportation (WSDOT), Sound Transit, and others across a wide variety of alternative procurement methods.

Robynne Thaxton represents private industry on CPARB and she is an attorney and consultant. She helps public agencies put together DB and GC/CM procurements, so she is familiar with both. For approximately 20 years, she has worked on statutes and has been involved with five progressive DB horizontal projects in the state of Washington for different cities and for WSDOT. She has been involved with DBIA since 2003 and was on the national board about 10 years ago. She now chairs the National Progressive Design Build Committee. Part of her work has been helping owners figure out what delivery method to choose.

Talia noted that a few stakeholders were in attendance and that CPARB hoped to appoint a couple to the TF during the meeting. She invited the stakeholders to introduce themselves.

Tom Zamzow is a DB manager with Walsh Construction, primarily working on alternative procurements in Washington since 2001. He was on the original WSDOT DB committee when it was trying to develop DB standards and practices; he worked on the GC/CM Heavy Civil Committee putting together a structure for that method of procurement. He has worked for contractors and engineers, and he helped the City of San Francisco determine delivery methods for its wastewater program. The City had considered using progressive DB and traditional DB, but chose the GC/CM method in the end.

Stuart Moore is the vice president of Atkinson Construction, which has done a lot of work for WSDOT, some alternative project delivery, and a lot of work with Sound Transit. He has worked in heavy civil industry for 27 years, mostly in Washington and delivering projects under Design-Bid-Build (DBB) and alternative delivery methods.

Chair Riley-Hall requested that each non-member attendee give their name and affiliation.

Art McCluskey, WSDOT; Melanie Baldwin, WSDOT; Terrence Lynch, WSDOT; John Chi, WSDOT; Joseph Kline, WSU; and Olivia Yang, WSU introduced themselves.

Janice Zahn, CPARB Chair, expressed her appreciation to all of the TF members for serving and clarified that the two members recommended by Jerry Vanderwood with the AGC are officially members. If a third member was recommended, CPARB will need to vote them onto the TF.

Chair Riley-Hall requested that, if those two AGC members were present, they could introduce themselves.

Robynne noted that the two members identified were Tom Zamzow and Stuart Moore.

Talia noted that the two new members increased the number of positions to seven, which increases the number required for a quorum up to four.

Purpose of Task Force

Chair Riley-Hall reviewed the purpose of the TF. She reviewed the charge from the 2024 Legislative Session, reproduced at the bottom of the agenda for this meeting:

[2024 Legislative Session; ESHB 2134 WSDOT Transportation Budget Proviso \(pg. 125\):](#)
Prior to initiating new advertisements or requests for qualifications for the following projects: SR 9/Marsh Road to 2nd Street Vicinity (N00900R), SR 526 Corridor Improvements (N52600R), US 395 North Spokane Corridor (M00800R), and SR 18 - Widening – Issaquah/Hobart Rd to Raging River - Phase 1 (L1000199), the capital projects advisory review board shall review the planned procurement methods for these projects. The board shall provide recommendations on procurement methods to the office of financial management, the department, and the transportation committees of the legislature for project L1000199 by July 1, 2024, and projects N52600R, N00900R, and M00800R by December 1, 2024. After the board provides recommendations, the department may initiate new advertisements and requests for qualifications, incorporating the recommendations as appropriate.

Chair Riley-Hall then summarized that the TF's task is to review procurement methods for the projects noted. She invited members to comment on the task.

Robynne wanted to obtain clarification behind the rationale for selecting the projects noted and the project timing. She observed that the SR 18 project is coming up first and the Legislative report is due by July 1, 2024. Some of the other projects are slated to go out for bid before the TF is due to make its December 1, 2024, recommendations. Most of the projects on the list are fully designed already. She requested more information on the thinking behind the request from the Legislative Transportation Committee.

Chair Riley-Hall requested that CPARB Chair Zahn provide more information to the TF on this issue.

John Salinas II said that, after talking to members of the Transportation Committee, his impression was that, specifically on SR18, there was a lot of hesitation on the eventual final cost, given that there have been a lot of other estimates along the way showing the

project getting much larger. His opinion from that discussion was they wanted to get down to the baseline question of how the project was being done.

Chair Riley-Hall noted that she will ask Janice to get background information outside of the TF meeting.

Art McCluskey shared that WSDOT is also exploring why the SR 18 project costs went up so much. They don't have that information to hand, but they are attending this TF meeting to provide what information they have.

Santosh asked whether TF members or attendees knew whether there is a commonality between the four projects under discussion that might help the TF get closer to the answer as to why they are examining these projects.

Art noted that the majority of the projects are executed under the DBB process. He also observed that they are significantly far along in the design process, but that he was not aware of any commonality between the projects.

Santosh pointed out that, from an environmental standpoint, the projects are quite far into the process.

Art confirmed that the DBB projects have the 70% plus design completed.

Santosh asked whether the projects have a record of decision (ROD).

Art responded that he wasn't aware of a ROD.

Approve Agenda

Chair Riley-Hall asked if there were any changes to the Agenda. Agenda planning for the next meeting will be at the end of this meeting, WSDOT will provide additional information on the projects at the April 10th meeting.

She noted that Art and Chris Christopher made a presentation to CPARB on March 18 that included background information on the WSDOT projects. She invited comments on the agenda requesting that members weigh in on anything else to discuss at the current meeting.

Robynne noted the first big task for the TF is to develop a recommendation on the SR 18 project. The TF needs to identify all of the preparation documents that members need for the next meeting. In addition, the TF should give WSDOT a list of information they want for the next meeting. She has had experience with other agencies evaluating project delivery methods and she is aware that it can take time to gather. She wants to ensure that the TF is not expected to redo WSDOT's work. A project delivery recommendation requires a deep understanding of the project and takes a fair amount of time, which is in conflict with the need to provide a recommendation quickly. The TF needs to really focus on what exactly it will accomplish and that needs to be done very quickly.

Chair Riley-Hall drew the members' attention to the Resources section on the TF website, which includes links to useful and informative materials, most of which were provided by WSDOT. To supplement what WSDOT has provided, she asked members to articulate the other needed resources. She noted that it appears that WSDOT reviewed DBB and DB project delivery methods, but there was not a checklist for GC/CM project delivery. She directed members' attention to the Project Delivery Method Selection Guidance (PDMSG) Checklist at the link for the Project Delivery Method Selection Guidance Policy Documents. (The checklist was displayed on screen.)

Robynne said that her understanding is that WSDOT had made an overall determination that DB and DBB are the two methods the agency chose after consideration. WSDOT has experience with both methods. It is her understanding that WSDOT has done one GC/CM project, but that the processes and contracts have not been set up in the same way that they are for DB and DBB methods. WSDOT could start looking into a different method, but it takes a long time to develop processes and methodologies for a massive government agency such as WSDOT to prepare.

Chair Riley-Hall noted that discussing GC/CM procurement would be covered when the group identifies next steps.

Robynne reiterated that the issue under discussion would be: if the TF recommended GC/CM project delivery, it would take a considerable amount of time and cost for WSDOT to prepare and then implement that project delivery method. Her experience has been that agencies are not easily able to pivot to a new method quickly.

Chair Riley-Hall pointed out on the agenda under Identify Next Steps, that there should be a bullet that says GC/CM Discussion or All Delivery Method Discussion.

Robynne noted that it will be important to discuss the practicalities of introducing a new delivery method to a government organization such as WSDOT. She pointed out that the timelines for the projects going out to bid are for this year.

Chair Riley-Hall noted that the basis of the current discussion is to approve the meeting agenda.

Robynne requested that, at the next meeting, the TF discuss processes and receive information from WSDOT.

Chair Riley-Hall noted that some of the information from WSDOT may be covered in today's meeting and would be available in the meeting notes. She requested that members either suggest more agenda items or a move to approve the agenda.

Robynne Thaxton moved to approve the agenda and Santosh Kuruvilla seconded the motion. The agenda was approved.

Review Membership

Chair Riley-Hall asked members to note any missing member positions and noted that the OMWBE position is vacant, but that all owners are represented.

Robynne said that Matt Rasmussen, an engineering representative with Benton County, was willing to participate, but that the TF would need to choose between Matt and Santosh.

Chair Riley-Hall requested that any owner in the meeting who would be willing or would like to participate should raise their hands.

Santosh suggested that both Olivia Yang and Joseph Kline (Joe) from Washington State University (WSU) have the requisite experience and bring a certain degree of neutrality and objectiveness. Even though their experience is vertical construction, he highly recommended that either one of them to be included.

Robynne suggested that owners exclusive of WSDOT that also do transportation projects and have used alternative procurement methods would be helpful to include on the TF but that the list of agencies that meet those criteria is small. She suggested that Kyle Twohig with Spokane County might be a valuable contributor as he has done DB transportation projects. A representative from a large city, such as Mark Nakagawara with the City of Seattle, would be a good addition. Although the City of Seattle doesn't do DB in its transportation projects, it does a lot of horizontal work and alternative procurement. King County has not done much horizontal work, nor has it done much DB. A list of entities that have done both would be helpful.

John Salinas II noted that the people that Robynne listed are solid. He also said a smaller list of owners that have done a wide variety of alternative procurements in horizontal work would be ideal because the TF is tasked with looking at horizontal projects. He has done projects for the Army Corps of Engineers (Army Corps) or Naval Facilities Engineering Systems Command Northwest (NAVFAC NW) across a variety of procurement methods. He made a request for anyone with a connection to an Army Corps representative to reach out to their contacts.

Robynne agreed the suggestions of Joe and Olivia, as well as the Army Corps, are great suggestions.

Chair Riley-Hall suggested having one representative from WSU, Joe Kline, and then requested for volunteers to reach out to contacts with the Army Corps or Port of Seattle.

Olivia noted that Joe Kline was a Seabee [from the U.S. Navy Construction Battalion] in a former life. Joe has been managing all of WSU's DB contracts and he also has a warrant from his federal days. She suggests Joe if the TF wants a WSU representative.,

Chair Riley-Hall asked to hear objections to adding Joe, and, hearing none, she requested that Talia advise her on adding Joe to the membership roster.

Talia noted that the process is to request adding Joe Kline at the upcoming April 11th CPARB meeting.

Olivia noted that WSU is working with the Seattle office of the Army Corps on a U.S. Department of Agriculture project. She requested that Joe make a request of Alan at the Army Corps to suggest a representative to the TF.

Joe said he would be glad to ask whether the Army Corps has someone interested.

Santosh suggested that the Seattle Department of Transportation (SDOT) has also done big projects under RCW 39.10. If there is interest on the TF, he can reach out to one of them and get their perspective on the TF's work.

Chair Riley-Hall noted that there are some action items: Santosh will reach out to SDOT, Joe will reach out to Army Corps, and someone needs to reach out to the City of Spokane.

Robynne volunteered to call Kyle Twohig who is currently with Spokane County but used to work for the City of Spokane and has managed a large horizontal project. Robynne also noted that Santosh had volunteered to coordinate with Mark Nakagawara.

Chair Riley-Hall observed that the TF will need to balance the number of members with the ability to come to decisions. The more members, the longer it will take to agree on a recommendation.

Chair Riley-Hall asked for any other comments on membership. Then she asked the WSDOT representatives whether they thought that there was good representation in the TF. She asked them to weigh in on whether the team in the meeting has unbiased opinions and is able to address the concern at hand.

Art McCluskey said that he has no opinions about who should be on the TF, but that the membership seemed to have a good mix of experience with WSDOT. He agrees that the more members there are, the harder it will be to come to a conclusion in a reasonable amount of time.

RCW Requirements – Discussion

Chair Riley-Hall introduced the next agenda item: RCW requirements. She is very familiar with RCW 39.10 and requirements related to alternative project delivery. The RCW requirements are related to the alternative delivery methods available. WSDOT has gone to the Project Review Committee (PRC) to do at least one heavy civil GC/CM project. The agency has its own legislation for DB. The range of project delivery methods for capital projects includes DBB, DB, and GC/CM. She requested that TF members confirm that they agree those are the available delivery methods available to WSDOT.

John Salinas II noted that WSDOT has used progressive DB on a project.

Chair Riley-Hall noted that heavy civil GC/CM was another project delivery method that WSDOT has used, then she summarized the list: DBB, traditional GC/CM, heavy civil GC/CM, DB, and progressive DB.

Robynne observed that the provisions for DB for highway construction relate to RCW 47.20 and the provisions for progressive DB are under RCW 39.10. WSDOT can also do other types of DB but they do DB for highway construction as specified in either RCW 39.10 or RCW 47.20; WSDOT follows the practices laid out in its own authorizing legislation for highway construction projects.

John Salinas II clarified that if WSDOT wants to use a project delivery method outside of normal DB, they have the provisions in RCW 47.20. To use other project delivery methods, WSDOT would have to go to the PRC to get approval. As this is the case, he wants to make sure that the statutes as written allow the TF to offer another project delivery method. He would like to get clarification on whether, for example, if the TF says it disagrees with using DB on the SR 18 project, would WSDOT then have to get approval from the PRC for the new project delivery method.

Robynne noted that for anything except DBB and DB under RCW 47.20 (meaning GC/CM or progressive DB), WSDOT would have to get approval from the PRC. The four progressive DB projects that WSDOT has done have been done with the approval of the PRC.

John Salinas II referred to the PDMSG Checklist discussion of earlier. The only two methods mentioned are DBB and DB. He would like to know whether the provisions of RCW 47.20 require WSDOT to use those two choices only and whether that is why only DBB and DB appear on the checklist.

Art responded that the checklist was developed long ago before there were many progressive DB projects. At one time GC/CM was on the checklist, but WSDOT modified the checklist to contracting from DBB, with the alternative being traditional DB. There are four projects that have been approved for progressive DB. WSDOT has developed a rigorous process that internal teams must use to gain approval to use progressive DB. That process is not reflected in the current checklist; however, WSDOT would not limit project teams from using progressive DB because it's not on checklist. Progressive DB would be considered if it were appropriate for a project.

John Chi noted that progressive DB was not considered for the SR 18 project. Progressive DB has been used for fish passage projects in the Olympic region. WSDOT looked at how progressive DB worked for those projects. The lesson learned was that progressive DB would be used for certain projects, primarily the fish passage projects.

John Salinas II said he appreciated the discussion and explanation from Robynne on the statutory authority question. He knew WSDOT could do certain things without going through PRC. Progressive DB seems like a project delivery method that is new to WSDOT as there aren't a lot of completed projects that have used that delivery method. He observed that the TF needs to make decisions within the laws and also understand the WSDOT thinking process when they were considering different project delivery methods. The background information is helpful.

Santosh said he wanted to make sure the TF was having a complete discussion on project delivery methods; thus far, the discussion has focused mostly on DB, progressive DB, and GC/CM. RCW 39.10 also includes job order contracting (JOC). He invited comments from attendees.

Art noted that WSDOT does have the ability to do JOC but, to his knowledge, JOC has never been part of the checklist for project delivery.

Chair Riley-Hall noted that JOC has a dollar threshold. All of the projects under consideration are over that threshold. Owners are not allowed to break up projects to meet the requirements of a particular project delivery method. Therefore, the committee should not consider JOC as a viable delivery method for the purposes of this discussion.

Robynne requested that WSDOT provide more information to the TF. For example, there are two WSDOT fish passage projects in active progressive DB. One project has been deferred; one is still in development (SR 167, I-5 to SR 161), which means it will take a while for WSDOT to get the contract and procurement ready. One project has 29 smaller projects and the other has approximately 30 projects. Neither project is a single horizontal stretch. If the project goes to the PRC, it will take a while to get permission for that contract and procurement.

Chair Riley-Hall provided a summary that there are five potential delivery methods for any of the four WSDOT projects.

Robynne listed the methods for these highway projects: RCWs 47.20 or 39.10 DB, traditional GC/CM, heavy civil GC/CM, and RCW 39.04 for DBB.

Chair Riley-Hall noted that she wanted to ensure that all TF members were on the same page on the delivery methods as this is a TF to review project delivery methods. She noted that becoming familiar with RCWs 47.20 and 39.10, along with other items that must be reviewed, before the next meeting is an action item for members.

Chair Riley-Hall asked WSDOT to weigh in on whether there were requirements related to funding sources that are not listed in the RCWs. She noted that Sound Transit receives a lot of Federal Transit Administration (FTA) funding. The requirements of FTA funding sometimes require consideration when weighing project delivery methods.

Art said he was not aware of any considerations related to funding sources. WSDOT has a delivery selection method that the Federal Highway Administration (FHWA) had already approved; DB is approved in the statute. WSDOT is allowed to use DB by statute as long as they have a legitimate way of showing that they have come to the right conclusions with regard to the project delivery method. He invited comments from his WSDOT colleagues.

John Chi said that the funding for SR 18 was Move Ahead Washington funding, which is related to the legislature. In addition, WSDOT has federally funded projects, which typically include requirements for disadvantaged business and other similar spending requirements.

Robynne mentioned that, because progressive DB is typically cost reimbursable. Any project that is cost reimbursable, any project getting federal funding, must comply with the cost reimbursable requirements in Title 2, Subtitle A, Chapter II, Part 200 of the Code of Federal Regulations (CFR 200). The requirements of CFR 200 could affect using progressive DB project delivery. The FHWA would need to approve progressive DB if the FHWA had already approved the delivery method for the funding obtained by WSDOT. The FHWA might need to reapprove if the project delivery method were to change. Environmental permitting is also a consideration. If WSDOT has made agreements with adjacent municipalities and/or utilities, those agreements usually mean a lot of restrictions on projects. If WSDOT is 70% through thru design, the environmental agreements are already in place. She would like to know where WSDOT is on its environmental permitting or adjacent agreements.

Art confirmed that environmental permitting and adjacent agreements would be in place.

John Chi clarified that the SR 18 widening project is at DB 30% conceptual design. The other projects under consideration are further along. They are DBB and one is already at 100% design. WSDOT will go through the National Environmental Policy Act (NEPA) process for the entire 5.4-mile stretch of the SR 18 project in the next couple of months.

Robynne noted that other projects are further along, and John Chi confirmed one project is half that, but project progress is getting more involved.

Robynne requested that WSDOT provide a list of the adjacent agreements for each project and the status of how far along WSDOT is on each agreement. Understanding the timing for each project is important because starting over on a process such as NEPA, for example, would not be easy to do.

John Salinas II agreed that Robynne's thinking about environmental agreements is useful. If the TF is tasked with concurring with WSDOT procurement selection, he would like to use a matrix to weigh all the factors. For example, some projects may be off the table due to their size and funding sources. He would like to understand if any of the funding sources restrict or control competitive bidding, such as requiring three responsive bidders to award a project that includes federal funding. Looking at the projects and factors in a matrix could help the TF narrow down the list of allowable project delivery methods and have confidence that the recommendations the TF makes are appropriate.

Art responded that he doesn't believe there are any restrictions on any project delivery methods due to funding sources—the contract language covers the issue but he will double check on that.

Chair Riley-Hall noted that when Sound Transit uses FTA funding, for example, they have to take into consideration all project delivery methods, summarize each, and document why they did or did not select it. They use a matrix and checklist to guide the evaluation. She would like WSDOT to confirm that there are no project delivery requirements for funding, regardless of whether the source was the Move Washington grant or the FHWA.

Stuart noted that John Chi went over the design status of SR 18, SR 9, and SR 526, and then asked WSDOT to confirm the status of the SR 395 design.

Art confirmed that the N Spokane Corridor project is a suite of projects. At one time one project was slated to be DB, but WSDOT reevaluated the project at the beginning of the year, and now all the (SR 395) N Spokane Corridor projects are DBB.

Robynne said that if projects have commitments for certain time frames and the TF recommends a different type of project delivery method, she wants to know the consequences. Issues for the TF to consider include the following: the impact of changing the project delivery method on permitting, the amount of redesign that would be required for a new project delivery method, the amount of additional cost that would be incurred to make the change, the effect of changing on the other agreements, and the amount of delay for each project if the project delivery method were to change. All of these are important when talking about making a recommendation on project delivery.

She added that it would be helpful to have clarification from the legislature on whether the TF recommendations are for WSDOT to consider for future similar projects or whether the legislature intends to direct WSDOT to make a change based on the TF recommendations.

Chair Riley-Hall directed members' attention back to the 2024 Legislative Session; [ESHB 2134 WSDOT Transportation Budget Proviso](#) (pg. 125) and read the last sentence: "After the board provides recommendations, the department may initiate new advertisements and requests for qualifications, incorporating the recommendations as appropriate."

Drawing from her experience at the City of Seattle, Chair Riley-Hall noted that another issue related to funding sources is project schedule. Some funding requires the owner to start spending by a certain date and to complete the project in a certain time frame. If these kinds of requirements are related to any of the WSDOT projects under consideration, the TF members need to be aware.

She requested comments on any other requirements other than the RCW requirements and the potential funding source requirements that members might think of. She noted that WSDOT may provide information on other requirements when it presents to the TF in the next meeting.

Other Resources, Available Materials – Discussion

Tom Zamzow described a project delivery selection tool from the University of Colorado that is for horizontal construction on the Transportation Construction Management page. He mentioned that Keith Molenaar is one of the contributors and provided a link to the tool. (see resources at the end of this document)

Chair Riley-Hall requested a round-robin check in with the voting members on the discussion thus far. Several members expressed appreciation for Chair Riley-Hall's leadership and the progression of the discussion.

John Salinas II observed that the time frame is tight and that he does not have a lot of contextual information yet, even though he reviewed the information posted on the meeting page. He is optimistic that the TF can make a rapid start on the task at hand.

Robynne noted that she is certain there will be more questions and expressed appreciation that WSDOT staff are attending the meeting and providing information. She is eager to identify next steps and figure out what the TF's process will be as well as the outcome. She agrees that a matrix to evaluate projects and the factors affecting them would be useful in helping the TF thoughtfully evaluate the options. She requested that WSDOT provide information to members in time for the next meeting.

Stuart wanted to know whether TF members should conduct research on the WSDOT projects or WSDOT would make a presentation on the projects.

Chair Riley-Hall replied that, as part of the next steps agenda item, the group can discuss what to request of WSDOT. She had discussed a presentation with Art for today's meeting, but the time frame was too rushed. In identifying next steps, she will ask for ideas for, or requests of, WSDOT.

Tom requested a status update on each of the four projects in terms of design, permitting, NEPA, local permitting. He assumes that the SR 18 project may have some elements involving fish that may require environmental considerations. He said it would be helpful to understand whether any projects are at 100% design and are 100% permitted. He suggested that a recommendation to change project delivery on that type of nearly complete project might not be worth the effort but that the group should review the status. He said that a project that is 30% designed with 15% of its permits completed represents a different opportunity for the TF and WSDOT. He suggested that the TF concentrate first on the SR 18 project because of the timeline for that recommendation.

Chair Riley-Hall agreed with Tom regarding the difference between the 30% and 100% designed projects and all the requirements. She noted that, by focusing on the recommendation due in July, the TF can hone its process of evaluating project delivery and suggested that perhaps the report due in December would be an easier lift because of the experience evaluating the SR 18 project.

She suggested that the group was moving into next steps and opened that agenda item for discussion.

Identify Next Steps – Discussion

Chair Riley-Hall noted that, for next steps, Robynne suggested the GC/CM alternative delivery discussion.

Robynne noted that WSDOT does a lot of DBB and DB according to RCW 47.20. It would be good to know what steps WSDOT believes they need to implement GC/CM or progressive DB project delivery. Part of the TF evaluation should be whether the steps to accomplish a change in project delivery method are feasible to accomplish in the schedules set for any of these projects. This is a practical step to look at the barriers—answering the question of whether it is possible to get the project done in the time frame if WSDOT were to use one of the recommended delivery methods. The answer to this question may help the TF narrow the types of delivery methods under consideration.

Chair Riley-Hall agreed to knowing WSDOT's schedule and whether there are schedule constraints will help answer that question.

Robynne noted that she has never seen a project that does not have schedule constraints.

John Salinas II observed that it is important in the TF's evaluation and report to consider the amount of money invested to get the projects to the current stage. Even if the TF comes to the conclusion that one delivery method is better than the one in use, switching methods would cost WSDOT time and money and the resources that have been expended to that point would be incur additional costs. He believes that the issue of sunk costs would be one for the legislators to consider—whether staying with the current project delivery method or switching to a different project delivery method makes sense. Understanding how much public funding has been expended to get these projects to the current status should be part of the TF's evaluation of changing methodologies.

Robynne noted that another issue that would be helpful for the TF is a concise presentation of WSDOT's delivery method selection process and highlights of the risks associated with each project. Identification of the key risks that WSDOT analyzed would be helpful in the TF's evaluation.

Chair Riley-Hall summarized that the TF needs an overview of each project including risks, funds spent to date, and schedules, if WSDOT can disclose all of that information. If members have other ideas of information they want, Chair Riley-Hall asked that members send email to her and cc Talia with the goal of emailing WSDOT no later than the Wednesday, April 3, with all of the requests for information members would like to see in the WSDOT presentation that will be on Wednesday, April 10.

Art reported that the SR 18 has a scheduled advertisement date of early August for a Request for Qualifications. With the July 1st deadline for the TF's recommendation, it is possible that a decision would be made and the project could move forward as planned. However, for the three projects that are under evaluation with a deadline of December 1st for a recommendation, WSDOT has some intermediate decision points that would either keep the projects on track or pull them back in the absence of a recommendation. In other words, unless some decisions are made on some of those other projects ahead of December 1st, WSDOT may be forced to delay those projects that fall between July and December because the advertisement dates are scheduled to occur in 2024.

Establish Next Meeting Agenda – Discussion

Chair Riley-Hall suggested discussing this issue in more detail in the April 10 meeting.

Art agreed to this and added that WSDOT wants to make the decision with enough lead time so that potential bidders don't prepare for an advertisement that will not happen at the scheduled time. He reiterated that discussing this at the next meeting and coming to some sort of conclusion by the end of that meeting would be fine.

Chair Riley-Hall requested that WSDOT include in its presentation information about when decisions need to be made on delivery methods so that WSDOT can decide whether to change the bid advertising dates.

Art noted that, if a change in delivery method is recommended, realistically, there would be no way to keep to the project schedule.

Talia requested that members send their suggestions for the WSDOT presentation to her and she will forward the information to maintain compliance with the Open Public Meetings Act.

Santosh Kuruvilla moved to adjourn the meeting; Robynne Thaxton seconded the motion.

Chair Riley-Hall declared the meeting adjourned.

Meeting adjourned at 4:33 p.m.

Next meeting: April 10, 2024, 3:00 p.m.

Action items:

1. Chair Riley-Hall: Reach out to Janice Zahn to get background information on the charge for the Task Force.
2. Santosh Kuruvilla: Reach out to a contact at the Seattle Department of Transportation to determine whether anyone is interested in joining the Task Force.
3. Joe Kline: Reach out to a contact at the U.S. Army Corps of Engineers to determine whether anyone is interested in joining the Task Force.
4. Robynne Thaxton: Reach out to Kyle Twohig with Spokane County to determine whether he is interested in joining the Task Force.
5. All: Review notes from March 27, 2024, meeting.
6. All: Become familiar with RCWs 47.20 and 39.10, WSDOT's project delivery selection guidance document, and the PDMSG checklist before the next meeting.
7. WSDOT: Develop a presentation on the status of all projects under consideration and include information on the feasibility of implementing GC/CM, Heavy Civil GCCM, Progressive DB at WSDOT for any of the projects, the top risks and challenges for each, and any limitations from the funding sources.
8. Issues for the TF to consider include the following:
 - the impact of changing the project delivery method on permitting,
 - the amount of redesign that would be required for a new project delivery method,
 - the amount of additional cost that would be incurred to make the change,
 - the effect of changing on the other agreements,
 - the amount of delay for each project if the project delivery method were to change.
 - information about when decisions need to be made on delivery methods so that WSDOT can decide whether to change the bid advertising dates.
 - All of these are important when talking about making a recommendation on project delivery.

References/Resources:

- [RCW 47.20.780](#)
- [RCW 47.20.785](#)
- [RCW 39.10.300](#)
- [RCW 39.10.340](#)
- [WSDOT Project Delivery Method Review Task Force Homepage](#)
- [ESHB 2134 from 2024 Legislative Session](#)
- [WSDOT Presentation to CPARB](#) - March 18, 2024
- [Project Delivery Method Selection Guidance Policy Documents](#)
- [PDMSG Checklist](#)
- [Design-Build Contract Data Summary vs. Engineer's Estimate](#)
- [Summary of Bid Tabulations \(Engineer's Estimate vs. Contractor Bid\)](#)
- [Charles](#)
- [Project Delivery Selection Matrix | Transportation Construction Management | University of Colorado Boulder](#)
- [WSDOT Project Delivery Method Review Task Force Resources](#)