

CPARB REAUTHORIZATION COMMITTEE MEETING MINUTES [DRAFT]

Date and Time: June 3, 2019, 1 PM to 3 PM

Location: Room 4096
Seattle Municipal Tower
700 Fifth Avenue
Seattle, WA 98104

Committee Members in Attendance:

Rebecca Keith – Committee Chair, representing WA Cities
Loren Armstrong – representing WA Ports (via phone)
Becky Blankenship – representing Architects (via phone)
Neil Hartman – representing Labor/WA Building Trades
Janet Jansen – representing DES
Santosh Kuruvilla – representing Engineers (via phone)
Scott Middleton – representing Specialty Contractors
Eric Nordstrom, representing Counties (joined by phone during meeting)
Mike Pellitteri – representing General Contractors
Linneth Riley-Hall – representing Sound Transit (via phone)
Robynne Thaxton – representing Private Industry (via phone)
Lisa Van der Lugt – representing OMWBE (via phone)
Olivia Yang – representing Higher Ed

Others in attendance:

Tae Hee Han – Sound Transit (via phone)
Dan Seydel – Platinum Business Group (via phone)
Andy Thompson – CPARB, Granite Construction (via phone)
Jenny Lo - minutes

Call to Order/Welcome and Introductions

Rebecca welcomed the group and called the meeting to order at approximately 1:02 pm. A quorum was present. Those present in person and on the phone introduced themselves.

Agenda Item: Review and Approval of Minutes 4/19/19

- The minutes of the meeting held April 19, 2019 were distributed to the committee on May 8th and were re-distributed on June 1 with one correction to Robynne Thaxton's name. There were no additional changes from the committee.
- **Motion:** A motion was made and seconded to approve the minutes for April 19, 2019 as in the corrected form distributed on June 1.
- **Vote:** The motion carried unanimously.

Agenda Item: Proposal from Chair; Elect co-chair(s)

Rebecca shared feedback she received that a vice or co-chair should come from the private sector and noted that she had not had the opportunity to work with some of the private representatives. She also presented a proposal to have a rotating Co-chair that would lead and facilitate upcoming meetings based on the meeting topics and requested the Committee's feedback on this proposal.

- Several Committee members expressed support for the idea of having meetings led by taskforce or subgroups based on the issues to be discussed and noted that the subgroup/taskforce could designate someone from their group to lead the meeting.
- There was also discussion about what role the Chair/Co-chairs should play in a meeting and whether the chair is neutral when leading a topic. There was a concern expressed that if rotating chairs are used, it is important to have a person who will facilitate the topic and not push a partisan position on the topic.
- Several committee members stated that there is value in having a private sector co-chair and that it would be very helpful to have additional administrative and oversight support from a private sector committee member.
- Rebecca asked private sector committee members to consider the position. Election will be carried forward to the agenda for the next meeting.

Agenda Item: Review of issues/challenges to address generated in Meeting 4/19/19; identify additional issues to be added to list

Rebecca reviewed the topics/issues that the committee identified in its meeting 4/19/19 as issues or challenges to address and asked the committee to confirm the list and whether additional items should be included. The list generated at the meeting 4/19/19:

- What is the mission of CPARB?
- Should we advocate for sunset of the sunset?
- JOC- updates per last legislative session
- MCCM Procurement
- GCCM
- Business Equity/Diverse Business inclusion

The committee discussed what additional issues should be considered and addressed.

Scott said the PRC should be added and that the committee may need to consider the PRC's role in the context of more than one topic area. For example, he noted Walter Schacht's idea from April meeting that perhaps concerns about the MCCM procurement process could be addressed by PRC's review or involvement.

Robynne identified two topics: 1) the PRC and its role should be included, address accountability and feedback and 2) evaluate whether there are other statutes that do not 'play well' with 39.10. Are there conflicts between 39.10 and other statutes that should be addressed?

Linneth noted that the Re-authorization Committee should not duplicate or conflict with efforts of the existing Data Collection Committee. Rebecca noted that the Data Collection Committee's mission had been narrowed by CPARB and wondered if people interpret data and reporting to include the CPARB questionnaires mentioned under the statute.

Olivia asked whether we included small works as alternative, but also expressed caution that review of 39.10 should not be combined with review of 39.04.

Committee consensus was that PRC and Data/Reporting should be included.

Rebecca will seek input from Data Committee and offered to include the Data Committee as part of a future meeting on reporting.

Agenda Item: Discuss process for addressing each issue, including discussion of work of existing committees and contacts for coordination:

Committee discussed how to process the issues and coordinating with existing committees. Rebecca said it was her understanding that the past Reauthorization Committee required written proposals and the Chair, Ed Kommers, kept a detailed spreadsheet of proposed statute modifications and which stakeholders proposed them. She likes the approach but asked if it is too soon to go to written proposals now.

Olivia agreed that additional discussion and input is needed first.

Rebecca noted Bob's point in the April meeting that each topic could have three buckets: 1) what issues need to be addressed, 2) which could be addressed through education/best practices and 3) which are policy matters that need to be addressed in statute.

Linneth advocated for sorting issues into an additional category - will it impact reauthorization?

Robynne suggested two more meetings are needed for outreach to existing committees to gather list of topics then group them into taskforces. Then each meeting should be solely dedicated to one topic, presented by taskforces.

Olivia asked whether the deep dive happens at the other committees or at this committee? Rebecca said she this Committee will need to be involved but she would like to give existing committees room to work and avoid duplicating process.

Scott reported that time is needed outside of Reauthorization Committee for GCCM and MCCM to be worked on. Rebecca asked is submitting a draft bill to CPARB in September too soon? Lisa said she thinks we need a timeline and deadlines

Olivia suggest a timeline:

- Discussions with committees from Memorial Day to Labor Day
- Legislation draft writing from Labor Day to Thanksgiving
- Submit legislation to CPARB for consideration in January 2020

That would give time for further vetting and amending and sorting. Neil noted that it is often easier to get input based on a draft for people to react to. Committee discussed whether that was doable but generally supported goal of getting a draft developed on that timeline.

A timeline with upcoming Reauthorization Committee meetings on was put on the whiteboard and group discussed which topics to schedule for each meeting. As part of the discussion, the committee shared information about the meeting schedule of the existing committees.

Mike suggested tackling purpose of CPARB first and then perhaps adding one more topic, like sunset. Rebecca asked whether it would be better to discuss sunset later in process. Some committee members expressed the opinion that it should be discussed later. Mike said it should be sooner because the sunset provision should be kept. He discussed contractor concerns about the momentum for design build and said the sunset provision functions as a report card. Scott agreed that keeping sunset is important, or at least for parts of 39.10. Neil said allowing the process to go down the road before discussing about sunset could change how people view it. Expressed value for the back stop provided by sunset.

There was further discussion of sunset throughout the meeting, while committee members acknowledged that discussion of the substance should be addressed in another meeting. Final consensus was to discuss it early in the process but also later.

Scott reported that he would like the MCCM discussion to be scheduled for the 9/5/6 meeting because stakeholders need the summer to work on their concerns and position. He also recommended that GCCM be addressed at the second meeting in September so that the GCCM committee will have had a chance to hold several meetings before coming to the reauthorization committee.

A list of the existing CPARB committees with related work was put on the whiteboard so the committee meeting schedules and ability to report could be considered in the reauthorization committee agenda schedule. The group identified reauthorization committee members who are on the committees and/or who can coordinate:

- Olivia and Lisa – Diverse Business/Business Equity
- Scott – MCCM and GCCM
- Rebecca/ Tae Hee - JOC
- Rebecca – Data collection
- Olivia/Rebecca – Design Build (remaining committee work not likely to impact legislation)

Tae Hee reported that the JOC committee is having monthly meetings to submit recommendations and proposals for new JOC users. The JOC committee did not meet in May, meeting was pushed to June. Gordian group representative is participating. There was discussion about when the JOC Committee could have the legislative changes to recommend for Reauthorization Committee. Tae Hee proposed after the September JOC Committee meeting but agreed to see if end of August would be possible.

Janet noted that the Diverse Business Committee is Bill Frare's committee. Olivia noted the committee's role is broader than looking at 39.10, but Lisa and Olivia will follow up.

Committee discussed possible meeting in August, but generally determined it would be difficult to schedule and additionally the existing committees and work groups need to have time.

By the end of the meeting, the Committee came to consensus on the following schedule for meeting topics:

- June 17 – 1. Purpose of CPARB; 2. Data, reporting, questionnaires
- July 1 – * PRC or Sunset Meeting
- July 15 – * PRC or Sunset
- July 29 – Business Equity/Diverse Business Inclusion
- End of August or First Week of October – JOC
- September 5 – MCCM
- September [TBD – 23rd a Monday] – GCCM
- After September, meeting to focus on drafting of changes, re-visit Sunset

* Rebecca will coordinate with PRC and Business Diversity committees to see which of the scheduled meetings will work best to coordinate input from them. Rebecca will have agenda time for confirming and refining the meeting and topic schedule.

Meeting break at 2:30 pm, reconvenes with full attendance at 2:45 pm

Continue discussion of process to address issues and coordinate with other committees

Rebecca asks the committee to determine what process it will use for the upcoming meetings. There is a proposal to sort into three columns:

- Issues
- Address in statute
- Address in other policy/practice

There is an additional column mentioned by Linneth – will it impact reauthorization? Do we add that category to our process now? Olivia said cast a broad net now to see what issues committee members want to talk about from now through September, then figure out will it impact reauthorization later in fall. Consensus of committee was to use that approach.

Agenda Item: Establish guidelines for roles of representatives of committee members

Rebecca already notes that there will be meetings when a Committee member cannot attend and wants to send a representative. The meetings are open, and broad representation is desired. Under CPARB by-laws, CPARB board members and appointed PRC members have vote, but Reauthorization Committee is an adhoc committee. Rebecca read CPARB by-laws for ad hoc committee voting and Reauthorization Committee may have rules allowing a Committee member to send a representative to act on behalf of committee member with notice to chair.

Committee asked if it wants to adopt this. Committee members agree if proxy has been delegated authority to speak on behalf of the organization. Linneth asked if should be clear that the absentee is the authorized speaker for the firm/agency. Committee had consensus that the substitute should be authorized to vote or represent a Committee member so long as the Committee member notified that chair that the representative is authorized to speak for that member's stakeholders. Scott provided notice that he will be unable to attend next meeting and will send Ed Kommers, who will be authorized to speak on stakeholder's behalf.

Agenda Item: Outreach strategy

Committee discussed how to ensure awareness of CPARB/committee's work and how to interact with constituents. Some ideas were having committee members go to other forums and having one or more meetings later in the day. Robynne is reaching out to DBIA. Rebecca will outreach to MSRC and has asked for time to speak to Municipal Attorneys group. Scott is doing outreach with NECA and electrical contractors as part of the MCCM and GCCM discussion. Olivia mentioned the WSU DBIA forum July 26. Rebecca will ask DES to update CPARB website.

Confirm upcoming meeting schedule

Confirm next meeting on June 17th will be scheduled for 3 hours

Meeting adjourned 3:04pm

- Minutes prepared by Jenny Lo and Rebecca Keith