

**STATE OF WASHINGTON**  
**Capital Projects Advisory Review Board**

**REAUTHORIZATION OF WASHINGTON'S ALTERNATIVE PUBLIC WORKS STATUTE**

**RCW 39.10**

**A bill reauthorizing RCW 39.10 is critical in 2021.**

- Design-build, general contractor/construction manager and job-order contracting are alternative public works delivery methods authorized under RCW 39.10. These procurement methods are firmly established in Washington and have a sixteen-year track record of success.
- Agencies across the state, including DES, universities and community colleges, school districts, ports, cities, counties, hospitals, and transit, rely on alternative public works delivery methods to implement successful capital projects.
- The Capital Projects Advisory Review Board (CPARB) is an advisory board established under RCW 39.10 that consists of volunteers from the public and private sector who represent a broad range of stakeholders. CPARB and its committees work to improve public projects through stakeholder dialogue, best practices guidelines, educational programs, and policy recommendations to the Legislature.
- The Joint Legislative Audit Review Committee conducted an Alternative Public Works Procedures Sunset Review and recommends that the Legislature reauthorize RCW 39.10.
- Authorization to use the contracting tools under RCW 39.10 expires June 30, 2021. The statute sunsets entirely the following year.

**CPARB's Process for Reauthorization of RCW 39.10**

In preparation for the reauthorization of RCW 39.10, CPARB and its stakeholders conducted an open, public, comprehensive review of the statute over the course of eighteen months. Through this process, CPARB has developed recommended changes to improve RCW 39.10. In December, CPARB unanimously voted to recommend the changes that are included in SB 5032.

A high-level summary of some of the changes include:

- Two new board positions: one position representing diverse business community and one representative from a transit agency.
- Provisions to improve opportunities for minority, women, and veteran-owned businesses and small businesses; including a work plan for best practices guidelines.
- Comprehensive updates to the general contractor/construction manager (GC/CM) provisions of the statute, including changes to improve alternative subcontractor procurement and improve opportunities for firms to compete.
- Consolidation of existing provisions regarding heavy civil GC/CM procurement into one new section.
- A new WSU pilot program for small design-build projects and a requirement for project approval for the use of design-build for pre-engineered metal buildings.
- Clarification that CPARB's data collection is subject to capacity and change to respond to a JLARC recommendation for job order contract documentation.