

CPARB Draft Post-Incident Process Approved by Project Feedback Process Workgroup on 5/16/2024:

1. If a potential violation of RCW 39.10 occurs, user should first attempt to resolve the issue with Owner. Violations of RCW 39.10 that are actionable in court should be addressed by the court system.
2. Educate RCW 39.10 users to notify PRC of potential issues that arise that cannot be resolved with an Owner. (This could be a link on website, or form, or email to submit issue - TBD).
3. Potential violation of 39.10 reported to PRC Chair or designee.
  - a. PRC Chair/designee reviews issue with the CPARB Chair, DES staff, and the Assistant Attorney General assigned to advise CPARB (CPARB assigned AAG).
  - b. PRC Chair/designee picks up the phone to talk to potential violator. Issue discussed to get more background and to determine if it's considered a violation of an RCW, a violation of a Best Practice, or an issue to be resolved between Contractor and Owner.
  - c. PRC Chair/designee reviews the call with the CPARB assigned AAG, CPARB Chair and DES Staff to discuss course of action. CPARB assigned AAG to determine whether there has been a violation of an RCW.
  - d. PRC Chair, or designee, documents call in log and notes action taken (i.e. Owner was not aware and will make corrections). Log remains in effect for 3 years. After 3 years, issue drops off.
  - e. If PRC Chair or designee is satisfied with the response or the CPARB assigned AAG determines the issue was not a violation of 39.10, issue closed.
  - f. If the CPARB assigned AAG determines issue is a violation of 39.10, issue is raised to CPARB Chair for action.
4. If issue is raised to CPARB:
  - a. CPARB Chair, or designee, discusses the issue with the CPARB assigned AAG regarding whether the issue is a violation with 39.10.
  - b. CPARB Chair, or designee, will informally contact violator to talk through the issue.
  - c. If satisfied with Owner response, log it and issue is considered closed.
  - d. If not satisfied with response, CPARB Chair, or designee, will engage the CPARB assigned AAG to determine next steps.
  - e. If appropriate, the CPARB Chair writes letter to violator to document issue.
  - f. If the issue is not resolved, CPARB Chair will follow up with appropriate action with consultation with the CPARB assigned AAG and the DES staff.