

Capital Projects Advisory Review Board GC/CM Committee

Meeting Summary October 22, 2020 (Meeting #20)

1. **Chair Middleton called the meeting to order at 12:35 p.m. A quorum was established.**
2. **Administrative**
 - a. Introductions
 - i. Committee members in attendance, including by phone: Nick Datz (Owners), Scott Middleton (Specialty Contractors), Penny Koal (DES), Shannon Gustine (General Contractors), Sam Miller (Architects), Olivia Yang (Higher Ed), Janice Zahn (Ports), Todd Mitchell (Construction Trades Labor), Lisa van der Lugt (OMWBE)
 - ii. Stakeholders in attendance, including by phone: Keith Michel (General Contractors), Andrew Greene (Schools), Mike Pelliteri (General Contractors), John Cross (General Contractors), Howard Hillinger (Owner Rep), Curt Gimmestad (General Contractors), Bill Dobyys (General Contractors), Tom Peterson, Karen Mooseker, Michael Transue, Shelly Henderson (representing Schools for Traci Rogstad)
 - b. Approval of September 17, 2020 meeting summary – M/S/P to approve meeting summary with no changes.
 - c. **AGC education materials.** Chair Middleton explained they obtained a link for the AGC GCCM training education materials, but the link didn't work. Chair Middleton reached out to the AGC asking to be able to review the educational materials to help inform the GCCM Committee's work and is waiting for their response.
 - i. Curt Gimmestad—There aren't any issues with using the materials. We talked with John about getting you the material, let me know if that doesn't happen.
 - d. **E-storage of documents.** Chair Middleton mentioned challenges with Dropbox and wants to hear what the group thinks about a platform to store documents that the group can easily access and use.
 - i. Chair Middleton—We started using One Drive and it's easier to edit documents since it's a Microsoft product.
 - ii. Architects—I like One Drive so multiple people can edit a document without having to upload and migrate changes. We can test it with the group.
 - iii. [A]—Chair Datz and Chair Middleton to work out the logistics of using One Drive for the group, and to send out permissions.
3. **Best Practices—Draft Chapter 1 (Scott and Nick).** Char Datz shared the GCCM Best Practices Manual on his screen. Chair Datz went through the comments submitted ahead of time and made live edits while the group commented on the language of the document.
 - a. Chair Datz—This section is simple; we took the first two chapters of the Design Build manual and converted it to a GCCM model. We want it to feel like a CPARB Best Practices manual. This section is an introduction, showing the goals and intent of the manual. We have some comments already provided.
 - i. Chair Datz discussed comments made by General Contractors.
 - ii. Ports—I want to be sure we are framing things positively, it will be helpful to show what we are leading into and not what we are trying to prevent.
 - iii. Ports—Under GCCM types, when we passed the Heavy Civil, we wanted to leverage the construction expertise of the GC, creating the space to perform up to 50% of the work themselves. I don't know if the essence of the Heavy Civil is written in here.
 - iv. Chair Datz—That's a really good point, and we went back and forth landing on a high-level explanation in the introduction where we have a lot more space in the specified sections. I agree we can modify this to show it's not just cost-focused.
 - b. Ports—Under the goals of this manual, in the second sentence, "the intent of this manual..." I want to change "options" to provide a community of practice guidance when the statutes are silent or are not clear.
 - i. General Contractors—I would not suggest phrasing that sentence as statutes being silent or unclear—it is what it is. The Best Practice intends to give guidance whether it's silent or not, saying that doesn't mean much.
 - ii. Ports—Good point. Chair Datz, I would say "a community of practice guidance".

[A] indicates an action item for follow up.

Prepared by Sidney Counts, 206.556.2017, scounts@maulfoster.com

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- iii. Chair Middleton---To play devil's advocate, if the statute is clear why do we have a best practice?
 - iv. General Contractors—Suggesting the RCW is not clear suggests it's unfinished. Sometimes it doesn't tell you what you can't do, so these are the best practices and guidance.
 - v. Higher Ed—Suggested, “intent of the manual is to provide a community of practice to enhance the interpretation of the...”
 - vi. General Contractors—I would say that the manual is to show the intent of the RCWs.
 - vii. Chair Datz—I don't think we are trying to tell people what to do, but what we learned to do to meet the requirements of the statutes. It's not the only way to do what the statutes are asking.
 - viii. Ports—Perhaps it's not the intent but the backstory of what started this.
 - ix. General Contractors—I thought we were using the best practices to show the intent of what was trying to be achieved by the statute.
 - x. Chair Middleton—Another way to say that, since the courts decide the intent, is to show what we as stakeholders think the statutes mean and how the industry is doing it and what has worked. We are presenting options on what we think it means and how the practitioner can proceed.
 - xi. Architects—It seems that the statute provides a framework, but within that framework there are paths you can take depending on the situation. This document gives guidance on how to navigate that framework.
 - xii. Ports—Maybe this is to “enhance users' understanding of RCW 39.10 and guiding implementation.”
 - c. Chair Middleton—Explained why he wrote the paragraph containing “however, GCCM is not without its challenges.” I intended to promote consistency, and we are trying to educate others on how the document is administered.
 - i. General Contractors—I wanted to stick to the positive, so I think we can do what you're suggesting, but more along the lines of being proactive in the industry, or something to that effect. “Not without its challenges” sounds like “yeah, but”.
 - ii. Chair Datz—What if we took the sentence “some public bodies are not accustomed...” and moved it down by the last sentence as this is the positive counter to that last statement.
 - d. Higher Ed—Some of what we are talking about could come in the next chapters. So, it might help to go ahead and write those, then come back to the introduction.
 - e. Chair Middleton—[A] Nick and I can revise after the changes we talked about and come back to the group.
4. **Subcommittees.** Chair Middleton shared his screen to show the CPARB GCCM Committee Subcommittee Assignments and Schedule document. He notified the group that we still have to finalize our subcommittees and to put time on our schedules of when those meeting dates will be.
- a. Chair Middleton asked attendees to volunteer names for each subcommittee.
 - i. Sam Miller volunteered to be the fourth in Evaluating the Use of GCCM. Janice Zahn added Kyle Dilbert to the list as well.
 - ii. Janice Zahn—I've gotten others from the port who want to participate. Add Kyle Dilbert to Evaluating the Use of GCCM, Angela Peterson to GCCM Procurement, Scott Thomas to Preconstruction Services, Jonathan Ohta to Heavy Civil, and Rad to Construction Services.
 - iii. Chair Middleton—Howard, I will fill you in as a placeholder, but we will talk offline about that.
 - iv. John Cross—You can put my name down for GCCM Readiness as the GC.
 - v. Shelly Henderson—I'm happy to sit in as the school representative for GCCM Procurement and Alternative Subcontractor Selection subcommittees.
 - vi. Chair Middleton—Confirmed with Todd Mitchel to put him down for Alternative Subcontractor Selection.

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- vii. Chair Middleton—I'm going to add Lisa to GCCM Procurement and Alternative Subcontractor and volunteer myself for Total Contract Cost and Construction Services.
- viii. Chair Datz—I will ask a couple of people internally from ST if they can sit in on a couple of these.
- ix. Curt Gimmetstad and Tom Peterson volunteered to help with Heavy Civil.
- b. Chair Middleton—In terms of timing, we can have a draft for CPARB by the Dec. 9, 2021. If we do that, we can get through our monthly meetings and give ourselves three months of leeway to revisit anything and make changes.
- c. Higher Ed—If we are successful in authorizing RCW 39.10, what are everyone's thoughts on training sessions with a common curriculum to talk about what is different since there are so many nuanced changes?
 - i. Chair Datz—I do believe it's in our best interest to work with AGC to incorporate these changes into trainings, but I don't want to detract from what we're tasked with.
 - ii. Architects—Are we going to explicitly point out the changes in the Best Practices? If so, we can use that to frame what is different.
 - iii. Chair Darz—I propose that we draft this as if the changes will be enacted. We can make changes to whatever comes out of the legislative session. We can then flag changes for training material as well.
 - iv. Schools—I like the idea of trainings on the updates, and in an appendix we can have a sheet of what was changed in the RCWs so there's one spot where you can see them all.
 - v. Chair Middleton—If we are writing assuming the statutory changes are going to happen, do we want to do an overview of these changes prior to May, or earlier along in the process so we can keep this committee moving forward?
 - vi. Higher Ed—I was looking at May and June as a timeframe.
 - vii. Chair Middleton—Would the AGC be interested in offering an overview of the changes?
 - viii. Curt Gimmetstad—They would be more than happy to do that and could do it virtually.
 - ix. Ports—This could be a partnership opportunity to have multiple organizations doing these teachings with the same curriculum.
 - x. Ports—I don't see a section about designer collaboration.
 - xi. Higher Ed—I was going to talk about that in the GCCM readiness.
- d. Chair Middleton shared his screen to show the schedule for meetings over the next year and asked if the Evaluating the Use of GCCM subcommittee could join the GCCM Readiness subcommittee to have one long meeting in December.
 - i. The subcommittees agreed a December deadline would work for the first draft of those sections.
 - ii. Shannon Gustine—[AI] I will send an email to get a meeting started for both Evaluating the Use of GCCM and GCCM Readiness subcommittees.
 - iii. Chair Middleton—[AI] I will send out this schedule and list of subcommittees after this meeting.
 - iv. Chair Middleton—In January we can do Alternative Subcontracting Selection and then Subcontracting in February to have those back to back.
 - v. Chair Middleton—We will put Heavy Civil for March.
 - vi. General Contractors—It could be helpful to assign leads to each of these to start communication between the subcommittees to talk about the work ahead. Also, I think we can add an owner rep to construction services.
 - vii. Howard Hillinger—We can add Craig Moore to Construction Services.
 - viii. Chair Datz—I was going to add someone from ST as well.
 - ix. Chair Datz and Chair Middleton—I think we can put together this list and send it out in the next few days, and we will pick a lead for each to help coordinate subcommittees.

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5. Action Items and Next Steps

- a. The next meeting is scheduled for Dec. 15 from 1-5 p.m. This will be a longer meeting to incorporate both discussions on subcommittees Evaluating the Use of GCCM and GCCM Readiness.
- b. Chair Middleton and Chair Datz will revise the changes we talked about today and come back to the group.
- c. Chair Middleton and Chair Datz will finalize subcommittee names and dates and identify a representative for each group and send out in the next few days.
- d. Shannon Gustine will coordinate with Evaluating the Use of GCCM and GCCM Readiness subcommittees in the next couple of weeks.
- e. Chair Datz and Chair Middleton will work out the logistics of using One Drive for the group, and to send out permissions.
- f. Subcommittees will submit their drafts on One Drive one week before the meeting for others to review and make their comments.

6. Meeting adjourned at 2:25 p.m.