

**GCCM Committee – Summary of Potential Legislative Changes  
(Revised 12/9/19)**

| No. | Subject   | Statute(s) Affected   | Discussed                     | Assigned To                                  | Status  |
|-----|---|---|-------------------------------|--|---|
| 1.  | Define “risk contingency” (contractor’s contingency) “budget contingencies” (owner’s reserve) and “design development contingency”  | RCW 39.10.210   | 8/1/19<br>9/4/19<br>10/14/19  | Keith, Andy, Sam,<br>Shannon, John,<br>Scott | Draft language<br>received on<br>10/30/19                 |
| 2a. | Considering moving “heavy civil construction project” language, currently scattered throughout RCW 39.10, into one statute  | Various   | 10/14/19                      | Nick, Janice, Scott                          | In progress   |
| 2b. | Harmonize GCCM and heavy civil construction project language?   | Various   | 12/4/19                       | Nick, Janice, Scott                          | In progress   |
| 3.  | Add language to promote timelier processing of equitable adjustments, change orders, and claims (“deemed denied”)   | RCW 39.10.350   | 8/1/19                        | Mike, Shannon,<br>Janice, Rebecca,<br>John   | In progress   |
| 4a. | Define/clarify scope of “independent audits” in heavy civil construction projects, particularly with lump sum contracts; if changed, also consider changing RCW 39.10.385 audit | RCW 39.10.350<br>RCW 39.10.385  | 8/1/19                        | Scott, Dave, Nick                            | In progress   |
| 4b. | Conversion of GCCM/E&M CCM/heavy civil construction project contracts to lump sum   | RCW 39.10.350<br>RCW 39.10.385  | 12/4/19                       | Scott, Dave, Nick                            | In progress   |
| 5.  | Clarify Fee/SGCs/price-related factors, such as cost allocation and clarity at the issuance of the RFP  | RCW 39.10.360   | 9/4/19<br>9/25/19<br>10/22/19 | Scott, Shannon,<br>Nick                      | In progress<br>(partial draft<br>received on<br>11/15/19) |
| 6.  | Align public solicitation/advertisement language with D-B procurement; any change may impact RCW 39.10.380, RCW 39.10.385, RCW 39.10.390, and RCW 39.10.400                     | RCW 39.10.360<br>RCW 39.10.380<br>RCW 39.10.385<br>RCW 39.10.390<br>RCW 39.10.400 | 9/25/19                       | Nick   | In progress   |
| 7.  | Align evaluation factors for GCCM selection under RCW 39.10.360(3)(a) more closely with D-B procurement   | RCW 39.10.360   | 9/25/19                       | Andy, Nick                                   | In progress   |

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|-----|--|---------------|---------------------|--------------------------------------|--------------------------------------|
| 8.  | GCCM evaluation factors – remove “negotiated” language from RCW 39.10.360(3)(a)(ii)  | RCW 39.10.360 | 10/14/19            | Scott                                | In progress (may be a best practice) |
| 9a. | E/M CCM - MCAWW proposals  | RCW 39.10.385 | 10/22/19<br>11/7/19 | Scott                                | Proposals received on 10/22/19       |
| 9b. | E/M CCM – open to trades other than M & E  | RCW 39.10.385 | 10/22/19<br>11/7/19 | Keith, Dave                          | In progress                          |
| 9c. | E/M CCM - more inclusion of MWDBE  | RCW 39.10.385 | 10/22/19<br>11/7/19 | Rebecca                              | Refer to Business Equity Committee   |
| 10. | GCCM evaluation factors – more inclusion of MWDBE  | RCW 39.10.360 | 10/14/19            | Rebecca                              | Refer to Business Equity Committee   |
| 11. | Add language that would make negotiated support services an “allowance” to be reconciled at completion of project. Remove second sentence in RCW 39.10.370(4)? | RCW 39.10.370 | 10/14/19            | Keith                                | N/A                                  |
| 12. | GCCM procurement of subcontractor – remove “two percent” language from RCW 39.10.380(6)(b) and/or replace with “five percent”                                  | RCW 39.10.380 | 11/7/19             | Keith                                | In progress                          |
| 13. | Ensuring fairness in bid opening when GCCM bids on subcontract work  | RCW 39.10.390 | 11/7/19             | Mike, Andy                           | In progress                          |
| 14. | Add language clarifying what “customarily performed or supplied by” means in RCW 39.10.390(2)(a)   | RCW 39.10.390 | 11/14/19            | Mike, Dave                           | In progress                          |
| 15. | Add language addressing subcontractor rights in the processing of equitable adjustments, change orders, and claims. ( <i>see also</i> , Item #3 above)         | RCW 39.10.410 | 11/14/19            | Mike, Shannon, Janice, Rebecca, John | In progress                          |
| 16. | Ability to negotiate subcontracts  | RCW 39.10.380 | 12/4/19             | Mike                                 | In progress                          |
| 17. | Technical edits (non-substantive)  | Various       | All                 | All                                  | In progress                          |