

PRC revisions and proposal for MCA Proposal 7a

PART 1: RCW 39.10.250 Project review committee—Duties.

The committee shall:

- (1) Certify, or renew certification for, public bodies to use design-build or general contractor/construction manager contracting procedures, or both;
- (2) Review and approve the use of the design-build or general contractor/construction manager contracting procedures on a project by project basis for public bodies that are not certified under RCW 39.10.270;
- (3) Review and approve the use of alternative subcontractor selection under RCW 39.10.385 on a project by project basis for public bodies that are not certified under RCW 39.10.270, which review and approval may be concurrent with project approval.
- (4) Review and approve not more than two design-build demonstration projects that include procurement of operations and maintenance services for a period longer than three years.

[2019 c 212 § 2; 2013 c 222 § 5; 2009 c 75 § 2; 2007 c 494 § 105.]

RCW 39.10.385 General contractor/construction manager procedure—Alternative subcontractor selection process.

As an alternative to the subcontractor selection process outlined in RCW 39.10.380, a general contractor/construction manager may, with the approval of the public body, select those major subcontractors whose engagement during the preconstruction period of the project is integral to the success of the project, including but not limited to mechanical subcontractors or electrical subcontractors, using the process outlined in this section. This alternative selection process may only be used when the anticipated value of the subcontract will exceed three million dollars. When using the alternative selection process, the general contractor/construction manager should select the subcontractors early in the preconstruction period.

PART 2: In PRC bylaws and application, strengthening PRC process to ensure Owner Success after Project Approval

Goal is to ensure that when PRC approves an Owner for project approval, that the Owner can demonstrate that it has the expertise to carry project to successful conclusion; i.e. Owner Readiness.

Consistent with the original aspiration of GCCM, and on premise that owner applicant has demonstrated ability to successfully lead and manage GCCM project, at time of Project Approval, Owner requests authority (not requirement) to also use the alternative subcontractor selection process for major subcontractors as appropriate.

Changes to PRC application process to demonstrate Owner Readiness:

Owner Applicant submits

- a. Project Delivery Plan, addressing Owner applicant's ability to demonstrate
 - That owner is fluent in design and construction activities
 - That owner is fluent in the procurement activities required for GC/CM delivery method under RCW 39.10
 - That owner is conversant in potential areas of disputes around design, procurement and construction management
 - That owner can resolve disputes in a defensible manner, which balances prudent and business like commitments of project funds in resolution of issue/dispute, while balancing greater "civic" issues
- b. Evidence of appropriate training, of Owner staff, Owner staff leadership.
- c. Owner applicant staffing plan (from PRC application to occupancy)
- d. Discussion of owner institutional values and approach to design, construction, and procurement for GC/CM.
 - What are Owner values and approach in dealing with project design consultants and project GCCM team?
 - Discuss Owner plan to manage the procurement activities required for selecting the GCCM.
 - Discuss Owner engagement plan for subcontractor procurement activities, including the alternative subcontractor selection process (if being utilized).
 - Discuss Owner plan to proactively prevent risks from becoming issues or problems
 - Talk about previous project experience where Owner resolve project issues
 - What is Owner experience in design bid build, and in negotiated work?
- e. Where owner applicant may not have transactional expertise in house, show plan to obtain and retain such expertise.
 - What is the basis for the Owner selection of the consultant PM/CM?
 - What is the planned duration of this support? What is the planned frequency of engagement of this support? Why?
 - How is funding for this support budgeted?
 - Discuss Owner management plan of the consultant PM/CM.