

# CAPITAL PROJECTS ADVISORY REVIEW BOARD

Via Zoom

**Minutes - DRAFT**

May 13, 2021

## MEMBERS PRESENT

Rebecca Keith (*Chair*)  
Andrew Thompson (*Vice Chair*)  
Garett Buckingham  
Bill Dobyns  
Bill Frare  
Senator Bob Hasegawa  
Matthew Hepner  
Santosh Kuruvilla  
Karen Mooseker  
Irene Reyes  
John Salinas II  
Walter Schacht  
Mike Shinn  
Robynne Thaxton  
Lisa van der Lugt  
Olivia Yang  
Janice Zahn

## REPRESENTING

Cities  
General Contractors  
Public Hospital Districts  
General Contractors  
State Government  
Senate (D)  
Const. Trades Labor  
Engineers  
School Districts  
Private Industry  
Specialty Contractors  
Architects  
Specialty Contractors  
Private Industry  
OMWBE  
Higher Education  
Ports

## MEMBERS ABSENT

Barbara Piilani Benz  
Rep. Steve Tharinger  
Jane Wall  
Senator Judy Warnick  
Vacant  
Vacant

## REPRESENTING

Insurance/Surety Industry  
House (D)  
Counties  
Senate (R)  
Const. Trades Labor  
Disadvantaged Businesses

***Staff & Guests are listed on the last page***

## WELCOME & BOARD MEMBER INTRODUCTIONS

*Chair Rebecca Keith called the Capital Projects Advisory Review Board (CPARB) meeting via Zoom to order at 8:02 a.m.*

A meeting quorum was attained.

Chair Keith reported on the appointment of Olivia Yang representing Higher Education filling the position vacated by Mike McCormick. Effective May 15, 2021, Ahmad Qayoumi will assume the position representing Counties vacated by Jane Wall.

Board members provided self-introduction.

## APPROVE AGENDA – *Action*

Chair Keith reviewed additional topics for discussion during the Board Transitions/Next Steps discussion.

*Garrett Buckingham, Matthew Hepner, and Karen Mooseker joined the meeting.*

***Robynne Thaxton moved, seconded by Janice Zahn, to approve the agenda as published. A unanimous voice vote approved the motion.***

## APPROVE FEBRUARY 11, 2021 MEETING MINUTES – *Action*

The following correction was requested to the February 11, 2021 meeting minutes:

- On page 5, under “Rebecca Keith” replace #2 to reflect, “Complete the work set out in SB 5032, Sec. 20 (Reauthorization)”

***Rebecca Keith moved, seconded by Matthew Hepner, to approve the minutes of February 11, 2021 as amended. A unanimous voice vote approved the motion.***

## APPROVE MARCH 30, 2021 SPECIAL MEETING MINUTES – *Action*

***Janice Zahn moved, seconded by Robynne Thaxton, to approve the minutes of March 30, 2021 as published. A unanimous voice vote approved the motion.***

**INVITATION FOR PUBLIC COMMENTS – Information**

Vice Chair Thompson invited public comments. No comments were offered.

**BOARD TRANSITIONS/NEXT STEPS – Information**

Chair Keith reported she does not plan to seek another term on the Board. Additionally, Vice Chair Thompson is not planning to seek reappointment. Consequently, she scheduled a special meeting on Wednesday, June 9, 2021 for the purpose of electing new leadership. Some concerns were conveyed about scheduling elections when several positions are pending appointment, vacant, or expiring. Although the statute allows an incumbent to serve following the expiration of their term until the position is filled, she does not plan to continue serving as Chair. Absent the election of new officers at the special meeting, the September meeting could entail either Vice Chair Thompson assuming duties as Chair or convening the meeting without a Chair. She invited feedback on the proposal for officer elections in June.

Feedback from members included an observation that the bylaws dictate the election of officers in even years. Election of officers in June would essentially mean a term of office until May 2022 when new elections would be required by the bylaws. A change in bylaws might be warranted based on changes to Senate Bill 5032. Chair Keith advised appointments are anticipated for positions representing, Cities, Transit, Diverse Business Community, Counties, General Contractor, and Architect.

Several Board members spoke to the risks of not filling officer positions given the depth of the Board's work over any concerns for a second election in 2022. Numerous Board members supported conducting elections in June.

In terms of possibly amending the bylaws to extend the term of newly elected officers, Chair Keith advised that any amendments to the bylaws require appropriate noticing. Mr. Schacht pointed out how current bylaw provisions do not align with reauthorization. New officers would benefit by serving a full two-year term during reauthorization. Additionally, a number of changes to the bylaws are warranted to align with the reauthorization bill. He suggested convening a bylaws review committee during the September meeting to review and recommend changes to the bylaws.

Chair Keith reviewed noticing requirements for amending the bylaws, which includes notice of the proposed changes and text of the proposed change(s).

Ms. Reyes suggested amending the bylaws to extend the terms of newly elected officers.

Ms. Zahn agreed leadership should be elected to afford a transition period, but preferred no process changes with respect to terms of office as those types of actions can often create angst within the community and potentially amongst Board members when conducting the business of the Board.

Ms. Yang suggested an option of appointing either an acting or interim Chair until the next election to assist the Board as it works through the bylaws review and other initiatives from the reauthorization bill.

Vice Chair Thompson said he has committed to serving until his replacement is appointed.

No Board members opposed scheduling a special meeting in June.

**PRC APPOINTMENTS**

Chair Keith reviewed the PRC appointment process and noted many of the positions generated only one application.

**General Owner Minority – 1 Position (1 Applicant)**

Chair Keith invited the applicant to speak to her application.

**Linneth Riley Hall, Sound Transit**, conveyed her interest in continuing to serve on the PRC representing General Owners. She has served as Vice Chair and Chair and is thoroughly knowledgeable of public works regulations for all alternative delivery methods. She currently serves as the Executive Project Director at Sound Transit for the Federal Way Link Extension project, one of the agency's largest Design-Build projects to date. She has and continues to serve on

various CPARB committees to include the Reauthorization Committee, as well as serving as the Chair of the Heavy Civil Committee in 2014. She also serves in various capacities for public works and is an instructor for the AGC GC/CM Workshops and is President of the Conference of Minority Transportation Officials for the Washington State Chapter. Her interest for serving is to continue the education of the industry on alternative public works and adding a diverse voice to the table. She often receives appreciation from colleagues and others for representing diversity as a member of PRC panels.

Ms. Zahn supported Ms. Riley Hall's appointment having served with her on the PRC. Ms. Riley Hall is a thoughtful and deliberate member who was always responsive for serving on PRC panels.

***Walter Schacht nominated Linneth Riley Hall as the General Owners representative. Mike Shinn seconded the nomination.***

Mr. Schacht and Vice Chair Thompson spoke in support of Ms. Riley Hall's appointment.

***A voice vote of members unanimously confirmed the appointment of Linneth Riley Hall for the position of General Owner.***

**Owner – Higher Education – 2 Positions (1 Applicant)**

Chair Keith invited the applicant to speak to her application.

**Alexis Blue, Assistant Director, Capital Planning & Development Office at Western Washington University,** reported she has worked on two large GC/CM projects and one large Design-Build project. The Design-Build project is a residence hall scheduled to open soon. Both GC/CM projects were STEM-related buildings on campus with a smaller Design-Build project currently in planning. She cited her desire to contribute her energy and assist higher education owners expand the use of alternative delivery methods. Her experience spans from her work in Afghanistan in a war zone to other similar positions involving alternative delivered projects during disasters. She believes her experiences in Afghanistan would contribute some knowledge to the PRC.

Ms. Yang and Ms. Thaxton shared reasons for supporting Ms. Blue's application. Ms. Yang said she was impressed with Ms. Blue's thought processes, her innate sense of fairness, and her ability to respond reasonably during a dispute, all of which are important values when evaluating applications to the PRC. Ms. Thaxton said she worked with Ms. Blue on several alternative procurement projects. As a project applicant before the PRC, Ms. Blue understands the process and some of the issues facing school owners.

***Olivia Yang nominated Alexis Blue to the position of Owner-Higher Education on the PRC. Irene Reyes and Robynne Thaxton seconded the nomination.***

***A voice vote of members unanimously confirmed the appointment of Alexis Blue to the PRC representing Owner-Higher Education.***

**Owner-General Public - 1 Position (1 Applicant)**

Chair Keith invited the applicant to speak to his application.

**Art McCluskey, Design-Build Program Manager for the Washington State Department of Transportation (WSDOT),** said he is responsible for the entire Design-Build program to include training, policy and procedures, conflict of interest, and as the liaison with industry consultants and contractors. His interest in serving on the PRC has spanned the last three years because of the importance of representing agencies, such as Sound Transit and WSDOT from a heavy-civil perspective. The thoroughness of his role at WSDOT ensures accurate completion of projects and he would provide that perspective to the PRC. He has enjoyed the panel process of asking questions of applicants, has served as chair of several PRC panels, and is committed to active engagement on the PRC. He asked for the Board's consideration for appointment of another term.

Vice Chair Thompson, Ms. Zahn, and Mr. Kuruvilla shared their respective reasons for supporting Mr. McCluskey's appointment and cited how Mr. McCluskey's service on the PRC has provided representation of WSDOT and the perspective of the heavy-civil component of alternative public works projects. His service as a member of PRC benefits the state as he has brought a steady, consistent, and thoughtful voice in addition to WSDOT's horizontal perspective.

Chair Keith invited nominations.

***Santosh Kuruvilla nominated Art McCluskey to the position of Owner-General Public on the PRC. Irene Reyes seconded the nomination.***

***A voice vote of members unanimously confirmed the appointment of Art McCluskey to the PRC representing Owner-General Public.***

#### **Owner-School Districts – 1 Position (1 Applicant)**

Chair Keith invited the applicant to speak to her application.

**Taine Wilton, Edmonds School District**, reported she has been with district for seven years and works under the leadership of Edward Peters. She also worked with Mr. Schacht during her tenure on a board at the University of Washington. She referred to her support for the community by serving on various boards and committees. She served on subcommittees responsible for streamlining the deformed process and the study and survey process required of school districts by the Office of Superintendent of Public Instruction (OSPI). She serves as the past president of the Association for Learning Environments. Her interest in serving is to help school districts as they navigate construction and alternative project delivery. She has presented project proposals to the PRC on behalf of the Edmonds School District, as well as for agency certification and recertification.

***Walter Schacht nominated Taine Wilton to the position of Owner-School Districts on the PRC. Karen Mooseker seconded the nomination.***

Mr. Schacht commented on how Ms. Wilton is held in high regard by her contemporaries and also brings the benefit as a practitioner as an architect prior to her joining the school district, which provides a broader perspective because of that experience. His professional colleagues also consider her highly as an owner.

***A voice vote of members unanimously confirmed the appointment of Taine Wilton to the PRC representing Owner-School Districts.***

#### **General Contractor – 2 Positions (6 Applicants)**

Chair Keith advised that of the six applicants, two are PRC members with terms expiring on June 30, 2021. She outlined the appointment process of establishing a nominating slate with each Board member casting two votes for two positions. The top two candidates from each position's nomination process will advance to the final vote.

Vice Chair Thompson encouraged both successful and unsuccessful candidates to consider participating or continuing their engagement on CPARB committees.

Chair Keith invited applicants to speak to their respective application.

**Quinn Dolan, Centennial Contractors**, remarked that his first term on the PRC was essentially an apprenticeship that afforded him an opportunity to learn. He never anticipated serving on a panel that rejected an application and required the panel to advise the applicant of the reasons for the disapproval. He believes he has learned about the trade and if selected, his second term would enable him to apply what he has learned during the last three years. He has been responsive and available to serve on panels and attend meetings. He served as a member of the JOC Evaluation Committee and his engagement and support of the Board serves to reflect his passion to work within the different committees and with the PRC.

**Marvin Doster, Mortenson Construction**, shared that after 40 years of experience on multiple Design-Build and GC/CM project he would a good perspective on the implementation of appropriate delivery methods. Additionally, he serves on national peer councils and committees for the General Services Administration (GSA) and the Veterans Administration (VA). Most of his service for those entities focuses on alternative delivery at the federal level. He believes he can offer a different perspective and knowledge base from those experiences to benefit the state and the PRC. The position also provides an opportunity to give back to his community and to the industry and is one reason why he volunteers for both the GSA and VA positions. He believes now is the time to contribute locally and he would like to serve to continue the great efforts of the PRC in furthering alternative delivery and ensuring it is executed correctly and continues to be available within the state.

**Hans Hansen, Project Executive, Howard S. Wright**, reported he is active in Design Build Institute of America (DBIA) and has motivated over 20 teammates to seek certification over the past three years in the company's Seattle office. He is also active with the National Association of Minority Contractors (NAMC) and has assisted the company in actively promoting diversity and inclusion by MWBEs, small businesses, and veteran-owned businesses for the last five years. His involvement in other organizations includes serving on the AGC Negotiations Committee with Local 528 Cement Masons. His true love is Design-Build, as he does not have as much experience with the GC/CM delivery method, which he hopes to gain if given the opportunity to serve on the PRC. His experience also includes preparation of bid packages and estimates for GC/CM projects while employed at Lydig Construction. He never had the opportunity to manage any of the GC/CM projects because his focus was on managing Costco warehouse projects across the Midwest when the delivery method began to accelerate. His interest in serving on the PRC stems from his intent to serve as a positive team member who actively participates. His desire is to learn and become more knowledgeable through the review of alternative public works contracting procedures, provide guidance to policymakers, and become a valuable member of the committee using that knowledge to help him and his company provide better service to clients.

**Brian Holecek, Operations Manager, Graham Construction in Spokane, Washington**, said it has been his honor serving on the PRC since 2018. During that time, he had no idea that he would learn and experience so much while serving on the committee. He broadened his knowledge of the alternative delivery methods and the process of serving with good teachers, mentors, and others on the committee. Over the last several years, he went from being a user of the process to evolving as a teacher of the process. He now has many clients, construction managers, and others who seek his advice on best practices and procedures to produce successful projects. The ability to give back has been worthwhile having spent over half of his career in the public sector both for hard bid and moving into GC/CM and Design-Build projects over the last 10 years. He is dedicated to the process and will do everything he can to help make the industry and the delivery model as strong as possible. He originally sought membership on the committee because of the lack of representation of Eastern Washington. By serving on the committee, he has been able to provide some valuable input about patterns and trends in Eastern Washington. One example is the need to expand minority participation and outreach as there is a lack of representation in Eastern Washington and it is important to encourage and mentor to attract more participation. His company is actively engaged in promoting diversity and inclusion and those efforts have served as a revelation and for lessons learned for the company. The company is working on mentorship programs to help small businesses. He would be a good choice, as he would serve as a representative from Eastern Washington.

**Tim Thomas, Vice President, Bouten Construction**, reported he has worked for the company for over 23 years and has been in the industry for over 30 years. He worked several years for a company in Western Washington and eventually moved back to the eastside. The reason he is pursuing a position is to represent the eastern side of the state. It is important for the committee to have that perspective. He has extensive experience working with local school districts throughout Eastern Washington on GC/CM projects. In his current role, he oversees preconstruction efforts, is responsible for RFP responses, and is involved in the bidding. He also has managed some projects through closeout. He understands the process and wants to contribute by being on the committee to promote alternative delivery methods across the state. His company is nearing completion of a successful Progressive Design-Build project with Washington State University (WSU). The progressive process was fantastic and his goal is to promote the process at the university level. The importance of representing Eastern Washington is to represent a region experiencing an increase in construction volume and through efforts with WSU, promote minority and women-owned businesses. As previously noted, Eastern Washington lacks many of those resources and greater strides are necessary to ensure those resources are available on the eastside of the state by helping companies engage and participate in alternative delivered projects.

**Brian Urban, Skanska Construction**, said he has been with the company for 20 years and is fiercely protective of alternative methodologies and promoting best practices. He has been a DBIA Boardmember for five years and DBIA-certified for eight years. His first GC/CM project was in 2004 with Stadium High School. His interest is in promoting best practices and ensuring projects are completed correctly to maintain the ability to utilize alternative procurement. Today, with diversity and inclusion, the latitude Progressive Design-Build offers is very important. He is passionate about the opportunity to serve and the ability to give back while promoting best practices for alternative procurement.

Chair Keith thanked applicants for their remarks. She invited comments and questions from the Board.

Mr. Dobyms thanked candidates for their interest in serving on the PRC. It is important to have general contractor representation on the PRC as the perspective is different from other positions. He encouraged applicants to consider assisting CPARB by serving on committees and subcommittees. He followed similar advice several years ago and can attest to how it has benefitted him by enabling his participation on the PRC and the Board. He encouraged applicants to stay involved and participate or serve on committees.

Vice Chair Thompson pointed out how each candidate spoke to the social side of contracting underscoring the recognition and the importance of engaging small and diverse businesses. At one time in the recent past, advocates for diversity and inclusion were represented by only a few steadfast members who routinely queried project teams about their inclusion plans and efforts to attract and include small and diverse businesses within projects. Today, efforts have broadened and evolved as evidenced by comments from each candidate about the importance of equity and diversity within the industry. He encouraged all candidates to become involved and support the Board through participation.

Mr. Kuruvilla acknowledged the excellent qualifications of all candidates. As an engineer representing the engineering community, he stressed the importance of interaction, relationships, and collaboration between the builder and the designer while acknowledging that some in the engineering community might not agree with that philosophy. He asked candidates to describe their respective position, philosophy, and any lessons learned to improve interactions and efforts that could be pursued differently to improve collaboration and interaction in the spirit of continuous improvement.

Chair Keith invited responses from each candidate.

Mr. Dolan reported general contractors should outreach to smaller design firms to develop relationships. It is often challenging for builders to seek smaller design firms to compete against the larger architectural firms. Soliciting participation by smaller companies is important as entering Design-Build and the GC/CM project arena is often difficult and requires affording new players an opportunity to participate in contracting. The City of Tacoma has been effective because the City's fees are based on utilization of small and minority businesses, which has resulted in an increase in engagement with more smaller companies

Mr. Doster said trust is an inherent part of the alternative delivery process and he suspects that those within the design community who do not subscribe to alternative delivery likely have some issues with respect to trust. It is important to reach out to individuals on any project and engage them early as a complete team rather than delegating specific roles. It is important for all entities to have a voice and actively participate at the front-end of a project. Building trust, being responsible to them, and letting them show their responsibility to each other and the team will reinforce how alternative delivery provides an opportunity to deliver better projects to clients.

Mr. Hansen said the biggest way to improve the process is to ensure participation of smaller businesses and teammates prior to the RFQ. It is important to invite participation on a team and for them to be mentored by team members. Early involvement and having a voice through the RFQ and the RFP processes to include participating in the interviews is important. It is no longer about checking a box because it is providing an opportunity for smaller companies to develop their businesses. Accomplishments achieved through community efforts benefits everyone.

Mr. Holecek's response spoke to three points: (1) identify the firms and help mentor them to make it easier for the firms, (2) provide an opportunity, and (3) do not let those firms fail in the process.

Mr. Thomas said Progressive Design-Build method is a great tool to help with diversity and inclusion because of early participation by architects and subconsultants. On a recent project, his company teamed with a smaller firm and engaged with the owner to select the subconsultants with owner and architect input. That process is one of the best ways to engage smaller subconsultants and architectural firms and it is easier to pursue companies of a more diverse nature. Within the GC/CM method, the owner has already selected the architect and the general contractor. The Design-Build method provides some opportunities to gain some leveraging and some ground to increase participation.

Mr. Urban acknowledged that some design firms are not fans of Progressive Design-Build or GC/CM and the perception of additional loads within those delivery methods. Part of it speaks to a learning curve. The industry is experiencing an explosion of Progressive Design-Build projects and it is about educating and outreach to those firms and helping them understand that although there might be more demand upfront, the benefits occur later during construction when less involvement is required. There may be some misconceptions about the demands of alternative delivery projects.

Mr. Schacht commented that the PRC has a clearly defined task to evaluate owner preparedness and their ability to follow statutory requirements. PRC's project review process includes five criteria and three criteria for certification and recertification of agencies. The issue of diverse business inclusion and recent changes in the statute are now included within that criteria. Although everyone has a preference regarding delivery methods, as Board members and PRC members it is important to convey a neutral stance and avoid advocating for one method over another. He asked for feedback from members currently serving or who have served on the PRC whether it is advisable for PRC members to serve multiple terms and carry forward knowledge or should the Board consider rotation of membership to afford an opportunity for more individuals to participate.

Ms. Zahn responded that during the last round of PRC selections, the issue was addressed; however, she does not believe there is any expectation by PRC members for reappointment to another term. The Board's selection process should consider broader representation on and the knowledge base of the applicant. Currently, of 30 members, seven represent the Spokane area, three represent the Olympia/Lacey area, and one represents the Bellingham area. It is important to consider geographic representation. Additionally, all seated members following initial PRC orientation should be fully capable of providing their respective knowledge as a panel member.

Mike Shinn spoke to his long-term PRC membership and dedication to the process. He supports a competitive process for the General Contractors position. He encouraged unsuccessful applicants to attend PRC meetings and become acquainted and more familiar with the process. It is important to recognize representation from both the western and eastern areas of the state because of the difference in project processes and projects, and it is also important for members to understand the entire process applicable to different areas.

Mr. Dobyms agreed to the importance of representation from the eastside of the state. Having offices in both Western and Eastern Washington, he is aware of the difference in project methodologies between the two regions. Although industry/project experience is always important, the PRC process is not complicated to learn or difficult to maneuver. Serving as a chair of a panel does not require a tremendous amount of time to learn. There is both value in experience and adding new members.

Ms. Zahn emphasized PRC's role for certifying and recertifying owners and evaluating project appropriateness and owner readiness. It is important PRC members are able to ask thoughtful questions to understand whether the project is appropriate for the delivery method and whether it meets the intent of the RCW, as well as assessing whether the owner is ready to deliver the project successfully. She stressed the importance for all applicants striving to serve on the PRC to understand that charge fully.

Ms. Reyes spoke to business development, equity, and inclusion concerns and advised each applicant from her perspective as a supplier that responding to emails and phone calls is one significant sign of inclusion. She encouraged applicants to become involved in PRC and on other CPARB committees, as their input is valuable to the Board.

Chair Keith requested confirmation from Mr. Hansen as to whether he has GC/CM experience. Mr. Hansen replied that he has not personally managed a GC/CM project but has assisted in the preparation for GC/CM projects during his tenure

with Lydig Construction. He has been the project manager for four Design-Build projects and is currently midway through another Design-Build project. He also has experience in hard bidding projects.

Chair Keith outlined the nomination process and invited members to nominate top two candidates to fill the two vacant positions.

A roll call of nominations from Board members present resulted in Tim Thomas and Brian Holecek being voted as the nominees to fill the two vacant positions of General Contractor.

***A voice vote of members unanimously appointed Brian Holecek to the PRC position of General Contractor.***

***A voice vote of members unanimously appointed Tim Thomas to the PRC position of General Contractor.***

Mr. Dolan was thanked and acknowledged for his service on the PRC. All applicants were encouraged to remain engaged with the Board and PRC.

*Chair Keith recessed the meeting at 10:05 a.m. for a break.*

*Chair Keith reconvened the meeting at 10:11 a.m.*

## **COMMITTEE REPORTS**

### **Project Review Committee – Information**

Ed Peters, Chair, Project Review Committee, reported on activities of the committee.

PRC panels considered five project applications at the March 25, 2021 meeting. The projects totaled \$110 million with two GC/CM projects totaling \$38 million and three Design-Build projects totaling \$72 million comprised on one large and two smaller projects. Both GC/CM projects were for school districts. Design-Build projects included one school district, one public utility district, and one conservation district. Four of the projects were approved unanimously and one project was approved by a vote of 6-2.

The Board thanked and acknowledged Mr. Peters both for his service on the committee and for serving as Chair.

Mr. Peters responded to several questions about PRC's response to new legislation for the GC/CM Alternative Subcontractor Selection process effective May 10, 2021, concerns surrounding panel votes in opposition to Spokane Conservation District's application despite approval by six other members, and new RCW language requiring PRC's review of prefabricated metal buildings although the use is currently permitted for the Design-Build delivery method. Mr. Peters explained that the split vote for the Spokane Conservation District was because of the distinction between qualified consultant staff (OAC) and concerns that agency staff did possess adequate experience. Two panelists conveyed concerns about agency staff experience level while the majority of the panelists believed the experience level was present because of the qualification of the consultant. Other concerns surrounded the tight schedule of the project. In terms of recent legislative changes for prefabricated metal buildings, he is aware of the changes but would have to defer to others for additional information. Additionally, the committee has identified a process to address recent statute changes for GC/CM that would include project applicants presenting to the same panel that approved the original application. An applicant recently submitted a form the PRC believes could serve as the template for the panel to review during a project presentation. The form is under review by DES counsel. The committee is scheduled to receive a draft of procedures that largely follows the template. PRC closely monitored changes during the legislative process.

Chair Keith commented that given the increase in construction projects across the state, it is likely CPARB will be considering adding new positions to the PRC. She asked Mr. Peters for feedback on ways the Board could support the committee's work. Mr. Peters responded that the support provided by Ms. Baker has been substantial and his concern is that her workload might be increased, as PRC would never be able to accomplish its works without her support.

Chair Keith thanked staff for updating the PRC applications to reflect new requirements for using the GC/CM procurement method by non-certified owners.



**Local Government Public Works Study (SB 5418) – Information & Action**

Chair Keith invited public comments following the presentation by Jon Rose with Municipal Research & Services Center (MRSC) and Vice Chair Thompson who co-chaired the committee for the Local Government Public Works Study. Following the last presentation on the study, the Board directed the committee to convene additional meetings to refine some of the recommendations on escalation of the thresholds for bidding and the small works roster. The update is the outcome of the committee's discussions to assist the Board in formulating a recommendation on the study to the Legislature.

Jon Rose thanked staff and the Co-chairs for their support and leadership over the last 20 months.

Mr. Rose reported Senate Bill 5418 generated a study with a series of charges for CPARB to address. One directive was a recommendation by CPARB on ways to increase uniformity and efficiency for local government public works contracting. The committee's recent focus was developing a list of recommendations for uniformity and efficiency. The Legislature requested the recommendation because of multiple requests each session to adjust public works contracting thresholds and processes. The committee conducted two additional meetings in March and April to focus on the threshold issue and resources for public works recommendations. The committee achieved a level of clarity and agreement on several points, but did not achieve consensus on other issues. The presentation will focus on the additional work and the items to consider moving forward as a recommendation to the Legislature.

Mr. Rose recapped the 11 original recommendations from the committee. At its February meeting, the Board approved three of the 11 recommendations. Of the remaining recommendations, many were unanimously supported by the committee, some received split votes, and other recommendations were identified to require a level of maintenance versus a policy change. The last set of recommendations is the focus of the review. Additionally, one of the bill's sponsors, Representative Gerry Pollet, was particularly interested in the threshold increase for small works roster, viability of an inflation factor, and resource issues.

Mr. Rose outlined the committee's process for considering the small works roster threshold recommendation. The committee attempted to split different decision points within the recommendation and was able to reach consensus on two points pertaining to the frequency for review of threshold revisions and agreement around the implementation of an inflation factor. A split decision was on the means of how the inflation factor would be applied, such as statewide or regionally. The split vote was driven by concerns of different labor costs in different regions of the state tempered by challenges of creating a regional factor and implementation across regional lines by many different agencies. Those concerns resulted in an 8-2 split. The final point pertained to the application of the inflation factor whether automatically, at the five-year review period, or simply as a guide for the Legislature to consider. A small majority of members agreed with the automatic option with different opinions on whether it would be beneficial to achieve savings in time by avoiding additional discussions through an automatic application or whether it would be preferable to have open discussions. The committee is seeking the Board's actions on a set of motions following a similar path the committee used by separating the issues. In those areas of consensus, the Board could agree with the recommendations and discuss the points that resulted in a split vote.

***Rebecca Keith moved to recommend implementing a review at 5-year intervals for small works roster threshold revisions and implementing the use of an inflation factor every five years to apply the revisions.***

Senator Hasegawa questioned the underlying issue.

***Rebecca Keith withdrew the motion.***

Senator Hasegawa asked whether the discussion on thresholds included the dollar thresholds applied to small works rosters. Mr. Rose replied that although it was a topic of interest, the issue was outside the scope of the study as the committee's review only studied the application of the inflation factor or cost of living increase of the base threshold.

Senator Hasegawa cited legislative bill 1259 that included a modification of the dollar thresholds, which was eventually removed because Representative Pollet advised that the committee was working on the issue and would be forwarding a

recommendation after the end of session, which served as justification for not modifying those thresholds in the bill. He asked whether the committee plans to work on the dollar threshold recommendation or whether it would be a legislative issue moving forward.

Mr. Rose replied that the committee identified a series of future study points for consideration. The issue was included as one of those points. However, for this particular study, the focus was only on the inflation factor.

Senator Hasegawa asked whether the committee identified a timeline for the dollar threshold question prior to the next legislative session. Mr. Rose said additional direction from the Board would be requested on timing and acceptance of any future study points.

Chair Keith requested clarification of references to small works roster (SWR) statutes versus information within the recommendation that speaks to SWR thresholds. Mr. Roster advised that small works rosters can be used for projects totaling \$350,000 or less and although some discussions spoke to the rationale of increasing the threshold to a higher level, the focus this particular study was to ensure the base level of \$350,000 keeps pace with inflation. Although the committee discussed the threshold, the committee agreed it was outside the scope of the study and was not prepared to offer a recommendation at this time.

Jolene Skinner cited the directive in SB 5418 directing CPARB to explore applying an inflator or deflator either on a regional basis or by using a building cost index. The directive did not speak specifically to exploring the threshold amount.

Vice Chair Thompson commented on the intent of the Board to remain within the legislative directive while acknowledging Senator Hasegawa is often asked questions about the threshold. He foresees the Board developing a problem statement for elected officials that might result in some future work. He acknowledged the difficulty of the issue as it has been difficult to achieve consensus and stay within the directive.

Michael Transue added that SB 5418 also spoke to identification of dollar amounts, which was one reason why the committee did explore a threshold amount.

***Rebecca Keith moved, seconded by Garrett Buckingham, to recommend implementing a review at 5-year intervals for small works roster threshold revisions and the use of an inflation factor applied to escalation.***

***A voice vote of members approved the motion unanimously.***

The Board reviewed the second issue of applying small works roster revisions by means of a statewide inflation factor.

Mr. Rose explained that the committee discussed the Construction Cost Index (CCI) and the Consumer Price Index (CPI) as major inflation factors available for consideration. During prior meetings with Labor and Industries, the preference was using CCI as it would be an appropriate index for small works contracts. The committee did not recommend a specific inflation index.

Mr. Frare conveyed support for using the CCI as the statewide inflation factor for uniformity and consistency between contracting agencies in the state. After a few years, it would be cumbersome to have multiple inflation factors. The intent of the study was to ensure uniformity across the state and increasing the Legislature's understanding as it provides guidance through legislation.

Mr. Reyes pointed out the differences between Eastern and Western Washington and the possibility of considering an inflation factor for each side of the state.

***Rebecca Keith moved, seconded by Irene Reyes, to include a recommendation in the report that the inflation for the small works roster escalation is a statewide inflation factor based on the Construction Cost Index (CCI).***

Senator Hasegawa supported the recommendation because the intent is to simplify the process.

*A voice vote of members approved the motion unanimously.*

The Board discussed whether to recommend applying revisions automatically at each five-year interval.

Mr. Rose responded to a question about some of the committee's opposition votes. He explained that his sense of the conversations centered on flexibility and the potential of several variables that lead to decisions for an increase.

Mr. Buckingham said he voted against the automatic five-year interval primarily because the type of an inflation factor had not been established. As the Board approved a recommendation for a statewide inflator index he would vote in support otherwise, too much variation would have been a possibility likely requiring an examination at five years to assess whether more problems were created because the automatic revisions could have created more discrepancies between the different agencies.

Mr. Frare offered feedback on concerns surrounding the process of how revisions would be applied every five years, which speaks to his reservation for an automatic provision rather than a recommendation to the Legislature to pass a statute to update the amount. The how and why of either an automatic five-year process or a proposal by the Legislature would need an administration process and a responsible entity for sponsoring legislation. Regardless of the process, an administrative process would be necessary. At the present time, he is agnostic as to whether it should be automatic or as a recommendation by the Legislature.

Ms. Skinner noted that some of the committee's conversations and concerns surrounded opportunities to review current data to identify whether the last increase was moving the needle in areas across the state and whether it made more sense to provide recommendations to the Legislature based on actual conditions instead of an automatic process.

Mr. Transue said his no vote at the committee was because the regionalization approach concerned him. Many members represent the eastside of the state where the CCI might not be appropriate given the differences in labor and material costs. He acknowledged Mr. Frare's concerns as it relates to uniformity and having a one size fits all situation. SB 5418 includes a definition for Building Cost Index for Seattle compiled by Engineering News Record, a nationally recognized professional construction trade periodical. It appears the statute has provided some information for consideration.

Chair Keith asked whether the context of the provision is applicable to the matter under consideration.

Mr. Frare advised that he generated the language as a suggestion to the chair of the Committee as the initial conversation spoke to the CPI. The construction industry does not necessarily follow the CPI because the index is for different sectors. He does not believe the Legislature would be concerned with a different index.

Chair Keith recommended the Board convey the content of the discussion and authorize the Chair and Mr. Rose to work with Mr. Frare to summarize the challenges of both approaches for inclusion within the Board's recommendation to the Legislature.

Mr. Frare supported the Chair's approach and suggested summarizing the pros and cons of each method and including the information within the Board's overall recommendation.

There was no opposition to the Chair's recommendation.

Mr. Rose reviewed the next recommendation that speaks to providing professional assistance for public works contracting guidance and marketing and outreach to contractors. The committee was interested in creating a coordinated effort between organizations with resources to assist other organizations in contracting under a coordinated effort by MRSC, WA Procurement Technical Assistance Center (PTAC), and OMWBE to support agencies and contractors. A majority of the committee (9-1) supported a scope of responsibilities that could include the creation of a centralized list of small works rosters, creation of a list of certification/registration programs for disadvantaged businesses, and a coordinated schedule for significant outreach events between public agencies and other stakeholders.

Chair Keith added that the committee discussed recommending a \$1 million fiscal note for funding the scope of activities but she believed it was not prudent to include a budget request even though the recommendation would require funding for implementing the recommendation.

Senator Hasegawa offered that the Board's recommendation should hinge on whether the Department of Commerce supports the recommendation, as an inclusion of a fiscal request often serves as a vehicle for defeating a proposal by changing a fiscal note that often results in invalidating a proposal.

Mr. Rose thanked Senator Hasegawa for the feedback. MSRC has a relationship with the Department of Commerce; however, the funding strategy would require additional conversations with Board leadership and DES if a funding request was included in the recommendation.

Mr. Transue added that including a not well-defined funding request would not be beneficial from either a policy or a budget standpoint. Knowing the committee was willing to examine the recommendation further, the suggestion of collaborating with the Department of Commerce would enable CPARB to render a solid recommendation to the Legislature for a professional assistance program along with a better estimate of funding needs to support the program.

Chair Keith acknowledged the suggestion but stressed the importance of completing and forwarding the report to the Legislature. The report is late to the Legislature and a commitment was conveyed to the committee and other legislators that CPARB would prioritize the completion of the report. If the Board supports the policy recommendation, the recommendation could move forward with a notation that additional efforts would be necessary to identify costs and a process for implementing a program.

***Rebecca Keith moved, seconded by Andrew Thompson, to include the committee's recommendation to provide professional assistance for Public Works contracting guidance and marketing and outreach to contractors comprised of the following in the report to the Legislature (with a notation (to be further refined) that funding and implementation has not been defined):***

***6. The creation of a centralized list of Small Works Rosters***

***7. The creation of a list of certification/registration programs for disadvantaged businesses***

***10. A coordinated schedule for significant outreach events between public agencies and other stakeholders***

Ms. Zahn supported the motion because the recommendation is combined into a professional assistance package of efforts. The discussion surrounding the involvement by the Department of Commerce and the funding requirements are all implementation actions. The recommendation speaks to the committee's recognition that the package is an important aspect of attaining more inclusion and increasing awareness of contracting opportunities to more companies.

Ms. van der Lugt conveyed appreciation for the synchronicity of coordinated efforts to provide better services while reducing confusion and duplicity, but noted that as OMWBE is a cabinet-level agency, she would be unable to advocate for funding exclusive of the Governor's Budget while acknowledging her support for the basis and the direction of the recommendation. She thanked Senator Hasegawa and other legislators for the funding support to the agency during the last funding cycle as the agency received more funding than requested effective July 1, 2021, which will enable the agency to add up to an additional 13 employees. A component of the recommendation, such as technical assistance will implement some actions within the recommendation.

***Mr. Kuruvilla recommended a friendly amendment for the Business Equity\Diverse Business Inclusion Committee to consider the recommendation as part of its efforts to develop best practices guidelines.***

***The makers of the motion accepted the friendly amendment.***

***A voice vote unanimously approved the motion as amended.***

Chair Keith suggested the recommendations (*see below*) that did not receive unanimous approval by the committee could be included within the report to the Legislature:

- Expand and define appropriate use of a ‘no-bid response’ process to all agencies.
- Give unit price contracting authority to all public agencies and define limits of use.
- Request CPARB update supplemental bidder responsibility guidelines.

There was no opposition to the Chair’s recommendation.

Chair Keith thanked and acknowledged the work and engagement by MRSC, Mr. Rose, Judy Isaac, and members of the study committee.

### **Committee Proposal – Information & Action**

Chair Keith reported during the February meeting, members in attendance offered their top three priorities for the Board’s ongoing work. Using the list of those priorities, leadership reviewed the current work program for all committees and how priorities could align to develop some recommendations for completing the work with existing committees. That information was included in a report to the Board. Additionally, based on the Board’s feedback, some of the priorities closely aligned with the work of the Board Development Committee and the Business Equity/Diverse Business Inclusion Committee.

The Board’s priorities reflected a pattern of priorities internal to the Board, priorities for equity and inclusion of MWBEs, priorities focused on improvement of methods, and priorities regarding CPARB’s external work. Priorities relating to the development of core values, mission, brand, and working together were recognized as important. As a component of the Board’s transition, Chair Keith reported she contacted the Governor’s Boards and Commissions Office, as well as considering the possibility of utilizing a facilitator to assist the Board develop its core values, community engagement, and the Board’s internal processes. The report also includes recommendations for each CPARB committee. Chair Keith invited feedback on next steps for implementing some of the recommendations.

Several members commented on the helpfulness of the report in summarizing the Board’s discussion and for providing guidance on next steps. Chair Keith was recognized and complimented for summarizing the information from a leadership perspective as the information was helpful for informing the Board as it moves forward.

Chair Keith reviewed the recommendations for committees.

*Reauthorization Committee* – Chair Keith thanked and recognized everyone for their work for supporting and working with the Reauthorization Committee, especially during a pandemic and with the volume of work necessary for reauthorization. Those combined efforts by the committee, stakeholders, legislative members, and others, improved public works contracting and ensured alternative works continue, as well as making strides for inclusion of women and minority businesses. As the work of the committee has been completed, the committee is no longer required.

***Rebecca Keith moved, seconded by Robynne Thaxton, to dissolve the Reauthorization Committee effective immediately. A voice vote unanimously approved the motion.***

*Data Collection Implementation Committee* – Chair Keith reported leadership recommends dissolution of the committee for reasons outlined in the report. Vice Chair Thompson added that the recommendation for dissolution is based on previous information provided to CPARB in July and September 2020.

***Andrew Thompson moved, seconded by Rebecca Keith, to dissolve the Data Collection Implementation Committee effective immediately.***

Ms. Zahn asked about recent changes in Senate Bill 5032 that speak to data collection. Mr. Frare explained that the amendments to SB 5032 did not include any data collection requirements for CPARB following a discussion with legislative staff. Previously, CPARB was tasked with the responsibility for collecting data. The amendment is reflective of designating DES as the support agency to the CPARB. DES would be responsible for serving CPARB’s need for data collection with the expectation that if data collection requires an extensive effort, DES would submit a fiscal note or funding request to support data collection efforts.

Vice Chair Thompson recognized Aleanna Kondelis for her service as Co-chair of the committee. Ms. Kondelis said the committee agreed the work has been completed and should be dissolved.

Vice Chair Thompson encouraged Ms. Skinner to continue participating and sharing information collected through the department's data collection process. Ms. Skinner advised of recent efforts to develop some preliminary data that will include OMWBE certifications and contractors for all public works projects in the state. A report is anticipated for completion within the next several months. .

***A voice vote unanimously approved the motion.***

*Business Equity/Diverse Business Inclusion Committee* – Mr. Schacht reported the committee completed several years of work and played a role in improving the statute for reauthorization to strengthen and expand language emphasizing the Board's interest for diverse business inclusion. He and Co-chair van der Lugt believe more work is necessary. SB 5032 also directs additional work, which they believe would be directed by the committee. Based on efforts to develop best practices and respond to requirements in the reauthorization statute to include reports to the Legislature, it is timely to consider new leadership and different perspectives. At the last committee in April, members discussed future leadership is recommending the Board appoint Santosh Kuruvilla, representing the private sector and Olivia Yang, representing the public sector as Co-chairs of the Business Equity/Diverse Business Inclusion Committee.

Chair Keith and Ms. van der Lugt shared their respective reasons for supporting the proposal and complimented the nominees on their leadership and enthusiasm they will bring to the work.

***Rebecca Keith moved, seconded by Garrett Buckingham, to approve the committee's recommendation to appoint Santosh Kuruvilla, representing the private sector and Olivia Yang, representing the public sector as Co-Chairs of the Business Equity/Diverse Business Inclusion Committee. A voice vote approved the motion. Mr. Kuruvilla and Ms. Yang abstained.***

Chair Keith recognized and thanked Mr. Schacht and Ms. van der Lugt for their efforts and leadership of the committee.

Mr. Kuruvilla inquired about the timeliness of recommending member appointments to the committee. Chair Keith invited nominations for consideration by the Board.

***Santosh Kuruvilla moved to appoint Jackie Bain from WSDOT as a member of the Business Equity/Diverse Business Inclusion Committee.***

Chair Keith asked whether the Co-chairs considered recommending specific stakeholder representation on the committee given the anticipated work to be completed by the committee. The nomination of Ms. Bain appears to be representative of a stakeholder representing horizontal public works.

Ms. Yang supported the proposal while acknowledging WSDOT is not represented on the Board. She asked about the possibility of delaying nominations to afford time for members to submit nominations from their respective stakeholders. She and Mr. Kuruvilla discussed numerous recommendations to assist in advancing efforts on disparity and utilization that have not moved forward because of other Board priorities. To ensure a good discussion, an invitation should be afforded to all members and stakeholders, as diversity and utilization are core values of the Board requiring input from all voices in the industry.

Mr. Kuruvilla noted that WSDOT has received legislative approval to use the Progressive Design-Build methodology. With the agency's heightened focus on fish passage and potential Progressive Design-Build projects, as well as lessons learned from other Design-Build projects, input from those efforts could be included in the best practices recommendations the committee is slated to develop next year. The recent action by the Board to appoint Mr. McCluskey to the PRC was appropriate and the inclusion of Ms. Bain and her knowledge of equity and inclusion as a member of WSDOT's Equal Opportunity Office would be beneficial to the committee.

Vice Chair Thompson commented on the importance of new committee leadership appointing new members earlier rather than later to ensure important voices are included at the front-end of efforts.

***Olivia Yang seconded the nomination.***

***A voice vote unanimously approved the motion.***

In response to additional discussion on the process for appointing members to the committee, Ms. Yang suggested assigning staff as the committee's point of contact for membership submittals while recognizing other stakeholders in the industry are welcome to apply as well. Additionally, in recognition of small business owners encountering difficulty in attending meeting, committee leadership supports scheduling committee meetings in other locations that would be conducive to stakeholders.

Chair Keith encouraged members to recruit members representing their respective stakeholder group for participation on the committee as a voting member. Nominations should be forwarded to DES.

Discussion ensued on the current membership of the committee, the nomination process, the desired size of the committee, and the scope of the committee's work in response to requirements in Section 20 of SB 5032.

Mr. Kuruvilla shared a document drafted by the Co-chairs outlining a proposed committee workplan. The scope is based on direction from Section 20. Section 20 directs the completion of a best practices document. The proposal is based on a Lean Management and outcome-based approach creating an outcome framework with short-term and long-term cycles based on the direction in Section 20. Mr. Kuruvilla reviewed the proposal and shared the committee's proposed timeframe for completing short-term work products by June 2022.

Ms. Reyes referred to the committee's discussion to create subcommittees to assist in accomplishing the scope of work. Mr. Kuruvilla advised that the next meeting would include a proposal outlining how subcommittees could be structured to assist in completing the work.

Chair Keith noted how the committee's current area of responsibility is not entirely in alignment with the proposal.

Additional comments from the Board stressed the importance of ensuring adequate representation, having familiarity of the best strategies for inclusion of diverse businesses, and representation by multiple stakeholders.

Chair Keith reviewed a draft updating the committee's new area of responsibilities:

- Consistent with the standards established in Section 20 of SB 5032, create best practices guidelines for increasing and sustaining access to contracting opportunities in alternative public works for minority, women, and veteran-owned businesses, and small businesses
- Provide CPARB recommendations for any changes to state law that are advisable based upon best practices guidelines
- Committee to provide drafts of the best practices and any recommended changes to CPARB by February 2022 and work with CPARB as needed to finalize the best practices and report to the Legislature by June 30, 2022.

Ms. Yang said the draft serves as a good starting point; however, she did not interpret the charge of the committee as a list of inclusive responsibilities but as direction for the main responsibilities to enable the committee to work on new issues that might be identified in the future. Existing membership represents a good base of representation; however, expansion of issues might benefit from additional membership including a mix of large and small businesses, contractors, and public owners. Her goal is to avoid publishing a best practices document companies would use as templates for checking off a requirement for an inclusion plan.

Ms. Zahn questioned whether the second area of responsibility also includes the first area of responsibility that encompasses RCW 39.04 and RCW 39.080 because some of the concerns by local government might align better under RCW 39.04 rather than RCW 39.10. She recommended revising the draft of the committee's responsibilities to expand the committee's purview to include RCW 39.04 and RCW 39.80.

Mr. Kuruvilla supported the recommendation, as well as affording the committee some latitude for inclusion of different stakeholders.

Chair Keith noted that the bylaws delegate the authority to CPARB for appointment of members to committees. She recommended moving forward to ensure the committee is able to work on the responsibilities assigned by the Board, as well as adopting the proposed amended change in the committee's responsibilities to reflect:

- Consistent with the standards established in Section 20 of SB 5032, create best practices guidelines for increasing and sustaining access to contracting opportunities in alternative public works for minority, women, and veteran-owned businesses, and small businesses
- Provide CPARB recommendations for any changes to state law (including RCW 39.04 & 39.80) that are advisable based upon best practices guidelines
- Committee to provide drafts of the best practices and any recommended changes to CPARB by February 2022 and work with CPARB as needed to finalize the best practices and report to the Legislature by June 30, 2022.

Chair Keith added that the Co-chairs could present a request to the Board in September for appointment of additional committee members and a draft of any modification to the responsibilities for the Board's consideration.

Ms. Kondelis noted the list of current members excludes Brenda Nnambi with Sound Transit who has served as a voting member for some time.

Chair Keith recommended appointing Ms. Nnambi to ensure she continues serving as a member.

***Rebecca Keith moved, seconded by Irene Reyes, to appoint Brenda Nnambi from Sound Transit as a member of the Business Equity/Diverse Business Inclusion Committee. A voice vote unanimously approved the motion.***

Chair Keith recommended reappointing Aleanna Kondelis to the committee because of her change in employment.

***Rebecca Keith moved, seconded by Santosh Kuruvilla, to reconfirm appointment of Aleanna Kondelis as a member of the Business Equity/Diverse Business Inclusion Committee representing a certified disadvantaged company. A voice vote unanimously approved the motion.***

***Rebecca Keith moved, seconded by Andrew Thompson, to amend the responsibilities of the Business Equity/Diverse Business Inclusion Committee as recommended and amended to include of 39.04 and 39.80. A voice vote unanimously approved the motion.***

*Chair Keith recessed the meeting at 12:39 p.m. for a break*

*Senator Hasegawa disconnected from the meeting during the break.*

*Chair Keith reconvened the meeting at 12:52 p.m. and reconfirmed a meeting quorum.*

### **JOC Evaluation Committee – Information & Action**

Co-chair Linda Shilley presented membership changes for the Board's consideration. Ms. Kondelis recently joined Akana, a Native American professional consulting services firm. Ms. Kondelis no longer represents the University of Washington as the Higher Education member on the committee. Ms. Kondelis will continue to serve representing small business. Anna Daeuble with the University of Washington is her proposed replacement on the committee representing higher education. Michael LaVielle is no longer employed with Washington State University and the committee recommends appointing Maja Huff from Washington State University as his replacement representing higher education and Jason Harper with Washington State University serving as his alternate.

Co-chair Quinn Dolan added that Maja Huff previously served as a voting member prior to the appointment of Mr. LaVielle. Ms. Daeuble serves as the University's JOC professional responsible for JOC contracting. Cindy Magruder is proposed to serve as her alternate.



Ms. Shilley spoke to the requested member appointments in support of the work and efforts to develop JOC best practices guidelines in response to recent legislation and emphasis on diversity and utilization. The committee plans to present a draft of practices guidelines to the Board at the September meeting with the draft forwarded to members prior to the meeting.

Mr. Dolan added that the committee anticipates additional efforts to format the guidelines to align with other best practices guidelines of other CPARB committees.

***Rebecca Keith moved, seconded by Janice Zahn to appoint the slate of nominees to the JOC Evaluation Committee as proposed. A voice vote unanimously approved the motion.***

#### **GC/CM Committee – Information**

Chair Keith reported leadership's recommendation for committees included a recommendation to enable the GC/CM Committee to complete its work and approve some appointments to the committee.

Co-chairs Scott Middleton and Nick Datz provided the update to the Board.

Mr. Middleton reported on his need to relinquish his position as Co-chair although he intends to continue to engage in the committee's work representing specialty subcontractors. He has appreciated the opportunity to serve as Co-chair. With support from Mr. Schacht, Chair Keith, Vice Chair Thompson, and committee members, the committee was able to complete an outstanding job of providing legislative changes to the Reauthorization Committee for SB 5032. Other responsibilities will not enable him to continue serving as Co-chair at the level of expectations he believes would be important.

Mr. Datz acknowledged the time and efforts Mr. Middleton contributed to the committee. Committee members discussed the co-chair position and agreed to recommend converting leadership to a single chair position at this time. He would continue to serve as Chair of the committee at this time. The committee continues to meet monthly and progress through the review of best practices. The next section is subcontractor selection followed by heavy civil. Progress is ongoing with meetings scheduled at the end of each month. The committee is exploring options for presenting drafts of the guidelines for an earlier review by the Board and as a way of seeking public comments. Members are working on a process for packaging the sections.

Discussion ensued on whether there was any necessity for adding more committee members. Mr. Datz and Mr. Middleton said that at this time, they do not envision the need for additional members. Mr. Middleton noted that the committee has a large roster of non-committee members working as members of subgroups.

Chair Keith thanked the Co-chairs and the committee for their work.

#### **Board Development Committee – Information & Action**

Chair Keith reviewed the current responsibilities of the Board Development Committee. The priorities identified by the Board speak to how the committee could assist the Board, as well as PRC's recruitment in response to the expansion of PRC's role. Several members have conveyed interest in supporting and assisting PRC in implementing SB 5032 requirements to include a women or minority or diverse business representative on each PRC panel. Other committee considerations fall into the categories of short-term and long-term. She invited Mr. Schacht to speak to some of the issues based on his strong vision for the committee.

Mr. Schacht said when the Board agreed on forming a Board Development Committee it was in response to issues experienced over time that the committee could help address, such as onboarding new members and developing a disciplined approach to officer elections based on prior challenges. Because of the close working relationship between members, it is somewhat awkward when selecting new leaders, which speaks to the importance of focusing on the content and setting aside personalities and relationships. He recommends convening the committee several times prior to the special meeting in June to provide some suggestions to the Board for conducting the election and the best forum for candidates to present their points of view. As a Board member, he would like perspective candidates to share their vision

and commitment to enable the Board to vote on the substance of the issues rather than voting for a personality. The committee could develop a series of questions, a format, or a set of guidelines to enable the Board to receive an equal comparison of candidates. Another future challenge facing the Board is the ongoing issue of achieving the required 10 votes to elect officers. A recent discovery during a review of the bylaws reflect a requirement of a majority vote of the voting membership to elect an officer. It is likely that more than one candidate will apply as the Board has many qualified members who could lead moving forward. His vision is to follow a disciplined process and builds consensus as opposed to a divisive process.

Ms. van der Lugt questioned the purpose of the conversation and whether the process has been divisive in the past. Mr. Schacht responded that the divisiveness has not been overt but it has created some challenges. The committee was assigned the responsibility to help guide the Board through the election process. Structuring leadership elections that are focused on the potential leader's vision for the Board and their commitment to implementing that vision will assist the Board in focusing on the future.

Ms. Reyes agreed with the recommendation and offered that membership should be expanded to include members that have not served in leadership roles to ensure different perspectives are represented on the committee.

Mr. Schacht noted Ms. Reyes' prior appointment to the Board Development Committee.

Mr. Kuruvilla cited the difficulties of the previous year and suggested the committee's responsibilities should be expanded to assist the Board on ways for maneuvering through difficult conversations. Some team building might be required.

Ms. Thaxton agreed the committee should work with and provide assistance to the PRC because of future actions to reach out to diverse communities, as well as improving outreach and advertising the existence of PRC positions to the broader community.

Ms. Zahn supported the importance of a disciplined approach and process to provide clarity on how the Board conducts elections, as well as other issues of focus by the Board. The work of both the PRC Review Subcommittee and the Board Development Committee was deferred because of the Board's extensive workload. In terms of the committee's responsibilities, it should include the Board's internal processes (identified as a priority), recruiting, and onboarding and orientation. She encouraged the Board to review current membership to ensure the right representation is seated to develop the processes and procedures that are important for the Board.

The Board discussed the status of the committee. Mr. Frare was previously appointed and serves as the Chair of the committee.

Mr. Frare offered that new leadership is warranted for the committee, as he has been unable to dedicate sufficient time to support the committee, but is willing to serve as a co-chair or as a member.

Ms. Reyes invited Mr. Schacht to consider serving as Co-chair.

In response, Mr. Schacht suggested pursuing short- and long-term actions beginning with soliciting members and considering non-Board members in the future. For the short-term, the Board could appoint Co-Chairs and initial members. The first meeting could serve as an informal meeting of the whole with all members invited to participate except those planning to submit a nomination for the Chair and Vice Chair positions.

Ms. Reyes and Ms. Thaxton advised of their intent to remain as members of the Board Development Committee but not as Co-chairs.

Vice Chair Thompson shared a copy of the draft September Board meeting agenda to assist members in assessing short-term commitments. Should members elect new leadership during the special meeting in June, an extensive amount of work is necessary to prepare for the September meeting.

Ms. Yang recommended focusing on membership of the committee and tasks necessary to prepare for the June special meeting to elect new leadership.

The Board's comments included an observation on the importance of follow through by the Board and a suggestion to appoint interim Co-chairs for the Board Development Committee.

Mr. Schacht committed to scheduling one meeting of the committee prior to the June meeting with a recommendation for the second co-chair to be a public sector representative with the first meeting serving as an informal meeting of the whole to develop guidelines for officer elections.

***Bill Frare moved, seconded by Santosh Kuruvilla, to appoint Walter Schacht as Co-Chair and appoint Janice Zahn as Co-chair recognizing that both members have conveyed visions for the committee and have the leadership capability representing both public and private sector interests with the intent of scheduling a meeting to prepare guidelines or recommendations for the election of officers.***

Ms. Zahn advised that from a long-term perspective, she would be interested in serving on the committee; however, she believes strongly in recusal from consideration because of her interest in pursuing a leadership position on the Board.

Ms. Yang offered to serve on the committee.

***Mr. Frare offered a friendly amendment to remain as Co-chair of the Board Development Committee for the short-term.***

Ms. van der Lugt requested clarification as to the role of the committee with respect to the June elections.

Mr. Schacht explained that he foresees the committee developing a set of questions or information the Board would like the candidates to share in terms of their qualifications, relevant experience, and vision for the future. In the case where more than one candidate applies for a leadership position, he recommends the committee consider the issue surrounding CPARB's voting procedures.

***The makers of the motion withdrew the motion.***

***Rebecca Keith moved, seconded by Irene Reyes, to appoint Walter Schacht and Olivia Yang to the Board Development Committee and appoint Mr. Schacht to serve as Co-Chair.***

Chair Keith offered to attend the meeting and provide input.

***A unanimous voice vote approved the motion.***

Chair Keith reported that part of the committee transition recommendations included updating the Board Development Committee responsibilities. However, because of the lack of time, she recommends tabling the recommendation until the September meeting.

Ms. Reyes inquired as to the committee's current membership. Chair Keith identified current members as Bill Frare, Bill Dobyms, Irene Reyes, Walter Schacht, Robynne Thaxton, Lisa van der Lugt, Olivia Yang, and Janice Zahn.

Ms. Zahn advised that she would recuse herself from the committee temporarily.

Mr. Schacht suggested a process of enabling members to attend the committee with recusal by members planning to seek an officer position.

## ADMINISTRATIVE

### **Budget – Information**

Budget information was posted on the CPARB website.

### **September 9, 2021 Meeting Planning & Draft Agenda – Discussion**

Vice Chair Thompson recognized Melissa Van Gorkom for her assistance with reauthorization.

The September 9, 2021 agenda includes:

- Recognition of New Leadership
- New Board Member Introductions
- Core Values – Meeting Norms – Equity Training/Equity Moment
- Completion of Board Transitions – Committee Status
- Committee Reports:
  - Project Review Committee
  - Board Development Committee – Action
  - Business Equity/Diverse Business Inclusion Committee
  - Local Government Public Works Study Committee – Legislative Report to House
  - GC/CM Committee – Best Practices Update
  - JOC Evaluation Committee - Action
  - Proposed CPARB Meeting Dates for 2022

Mr. Schacht thanked Chair Keith and Vice Chair Thompson on behalf of the Board for their ability to shoulder a remarkable set of burdens during the last year. Chair Keith served both as Chair and as Co-chair of the Reauthorization Committee, which benefitted the Board in terms of the successful outcome of reauthorization. Together Chair Keith and Vice Chair Thompson were a great team and their efforts have been appreciated.

## ADJOURNMENT

*Bill Frare moved, seconded by Robynne Thaxton, to adjourn the meeting at 2:05 p.m. A unanimous voice vote approved the motion.*

### **Staff & Guests**

Talia Baker, Department of Enterprise Services  
Alexis Blue, Western Washington University  
Nick Datz, Sound Transit  
Nancy Deakins, Department of Enterprise Services  
Quinn Dolan, Centennial Construction  
Marvin Doster, Mortenson Construction  
Curt Gimmetstad, Absher Construction  
Valerie Gow, Puget Sound Meeting Services  
Hans Hansen, Howard S. Wright  
Laura Herman, Dept. of Labor & Industries  
Brian Holecek, Graham Construction & Management  
Judy Isaac, MRSC  
Aleanna Kondelis, Akana  
Ann Larson, Department of Enterprise Services  
Art McCluskey, WA State Department of Transportation

Scott Middleton, MCA  
Ed Peters, PRC & Edmonds School District  
Shari Reiter-Johnson, Dept. of Labor & Industries  
Linneth Riley-Hall, Sound Transit  
Jon Rose, MRSC  
Tiffany Scroggs, WA Procurement Tech. Assistance Ctr.  
Linda Shilley, Pierce Transit  
Jolene Skinner, Dept. of Labor & Industries  
Tim Thomas, Bouten Construction  
Michael Transue, MCA  
Brian Urban, Skanska USA  
Melissa Van Gorkom, Senate  
Annika Vaughn, Consultant  
Taine Wilson, Edmonds School District