

CAPITAL PROJECTS ADVISORY REVIEW BOARD

Via Zoom

Minutes - **Amended**

May 14, 2020

MEMBERS PRESENT

Walter Schacht (*Chair*)
Rebecca Keith (*Vice Chair*)
Garett Buckingham
Bill Dobyns
Bill Frare
Senator Bob Hasegawa
Matthew Hepner
Charles Horn
Santosh Kuruvilla
Mike McCormick
Karen Mooseker
Irene Reyes
Mike Shinn
Rep. Steve Tharinger
Robynne Thaxton
Andrew Thompson
Lisa van der Lugt
Jane Wall
Senator Judy Warnick
Janice Zahn

REPRESENTING

Architects
Cities
Public Hospital Districts
General Contractors
State Government
Senate (D)
Construction Trades Labor
Insurance/Surety Industry
Engineers
Higher Education
School Districts
Private Industry
Specialty Contractors
House (D)
Private Industry
General Contractors
OMWBE
Counties
Senate
Ports

MEMBERS ABSENT

Brian Belarde
Rep. Mike Steele
Vacant

REPRESENTING

Construction Trades Labor
House (R)
Specialty Contractors

Staff & Guests are listed on the last page

WELCOME & BOARD MEMBERS INTRODUCTIONS

Chair Walter Schacht called the virtual Zoom & regular Capital Projects Advisory Review Board (CPARB) meeting to order at 8:33 a.m.

A meeting quorum was attained.

Talia Baker provided information on the features of Zoom and how members can participate.

Chair Schacht acknowledged participation by Senators Hasegawa and Warnick and several members of the Joint Legislative Audit & Review Committee (JLARC).

APPROVE AGENDA - *Action*

Chair Schacht reviewed the agenda and reminded members of the scheduled election of officers. Newly elected officers will assume their respective office at the time of the meeting's adjournment.

Bill Frare moved, seconded by Rebecca Keith, to approve the agenda as published. Motion carried unanimously.

Matthew Hepner joined the meeting at 8:42 a.m.

INVITATION FOR PUBLIC COMMENTS

Vice Chair Keith invited public comments throughout the meeting.

APPROVE FEBRUARY 13, 2020 MEETING MINUTES – *Action*

The following changes were requested to the minutes of February 13, 2020:

- On page 10 within the last motion, change “flush” to reflect “flesh.”
- On page 15 within the fourth paragraph, change “contracts” to reflect “contacts.”

Andrew Thompson moved, seconded by Rebecca Keith, to approve the minutes of February 13, 2020 as amended. Motion carried unanimously.

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ELECTION & APPOINTMENTS

Election of 2020-2022 Board Officers

Chair Schacht reflected on some of the achievements of the Board over the last two years and future challenges facing the Board to achieve its mission. Since the Board's formation approximately 16 years ago, the Board has contributed significantly to the dialogue on capital projects within the state and has successfully collaborated with stakeholders across the state involved in public works delivery. The Board serves as a forum for the industry. As a volunteer entity, members of the Board are willing to serve on the Board and on committees. Reauthorization will be a significant effort this year compromising a large amount of the Board's dialogue and review. Recent activities and accomplishments include the Board's response to JLARC's recommendations in 2012 regarding data collection and passage of SHB 1295 modifying the Design-Build statute to keep pace with the evolving nature of Design-Build as a procurement type.

Chair Schacht expressed appreciation to members for their efforts over the last several years. He encouraged members to remain focused on the mission of the Board and continue providing a forum for open dialogue on project delivery of capital projects in Washington State with a focus on alternative project delivery.

Vice Chair Keith acknowledged and thanked Chair Schacht for his leadership and service. She has come to appreciate the monumental body of work the Chair completes. Chair Schacht has indicated a desire to continue providing support moving forward.

Andrew Thompson commented on the importance of the Board and the work both before each legislative session and following each session through a deliberative and inclusive process. That process enables the Board to provide guidance to legislators. He thanked Chair Schacht and former Chair Bill Frare for their service on the Board.

Santosh Kuruvilla expressed similar sentiments and complimented Chair Schacht for his efforts while serving as Chair. Chair Schacht helped the Board realize its true potential.

Chair Schacht recognized Bill Frare, Chair of the Board Development Committee.

Mr. Frare opened the floor for nominations for Chair.

Robynne Thaxton nominated Rebecca Keith to serve as Chair. Santosh Kuruvilla seconded the nomination.

No other nominations were offered for the Chair position.

Members unanimously elected Rebecca Keith to serve as Chair.

Mr. Frare invited nominations for Vice Chair.

Walter Schacht nominated Andrew Thompson to serve as Vice Chair. Rebecca Keith seconded the nomination.

No other nominations were offered for the Vice Chair position.

Members unanimously elected Andrew Thompson to serve as Vice Chair.

Vice Chair Keith thanked everyone for their vote of support. She is committed to the Board and to all stakeholders. The Board has initiated some amazing work over the last several years. Realistically the Board must focus efforts on reauthorization and she plans to reach out to all members and stakeholders but is relying on everyone to provide input and support as the Board works through the process of reauthorization. She thanked former Chairs for their support and to Chair Schacht for his willingness to serve as a resource as the past Chair and to Mr. Thompson for his willingness to serve as Vice Chair.

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Mr. Thompson congratulated Vice Chair Keith and thanked Chair Schacht for his service. He looks forward to working with Ms. Keith and recognizes the amount of effort and time required to be effective. He thanked the Board for their support.

Mr. Frare congratulated Ms. Keith and Mr. Thompson on their elections.

Project Review Committee Appointments

Chair Schacht outlined the appointment process. He invited applicants to speak to their interest for serving on the Project Review Committee (PRC). All applicants are highly qualified and selection by the Board will entail consideration as to how the applicant aligns with the selection criteria for each position. He encouraged applicants to share information on how they believe they can contribute to the work of the PRC.

Chair Schacht outlined a proposed appointment process as permitted in Rule 66 of Robert's Rules of Order. The rule indicates that a nominating ballot is possible to identify the preference of candidates by each member. For each position with multiple applicants, the Board will consider each open position and conduct a roll call of each member's preferred applicant. The applicant receiving the most votes automatically advances as the Board's nominee for that position. A final roll call vote confirms the appointment.

Mr. Thompson encouraged applicants who might not be selected to consider volunteering to assist the Subcontractor Bid Listing Report Committee and the Local Government Public Works Study Committee.

Bill Dobyns encouraged unsuccessful candidates to consider supporting Board efforts by participating in other committees of the Board.

Janice Zahn commented on the challenge the Board faces as some of the positions include applicants from the same firm. It is important the Board select applicants representing other firms rather than several members from the same company.

Chair Schacht acknowledged the concern and recommended deferring any discussion on selection criteria as the Board's conversation following each nominee's presentation and the Board's nominating process would likely include conversation addressing those particular concerns.

Minority/Women Owned Businesses – 2 Positions (1 Applicant)

Chair Schacht invited the candidate to speak to his respective application.

Ato Apiafi, Owner, Ato Apiafi Architects, PLLC, said it has been his honor to serve the state and he is interested in remaining engaged. He has successfully worked with some of the members of the Board and has been involved in GC/CM projects. He is currently working on two Progressive Design-Build projects. Most importantly, he wants to be at the table to represent the best interests of his constituency. He has been a member of PRC for six years.

Mr. Frare supported Mr. Apiafi's candidacy as he contributes much to the PRC both from the perspective of an architect and from the perspective of a minority business owner.

Ms. Zahn echoed similar comments as Mr. Apiafi was always responsive during PRC panel presentations and asked good questions. When he commits to serve on a panel, he always attends.

Mr. Kuruvilla supported Mr. Apiafi's application as he served with him on the mentorship program and engaged in several good discussions with Mr. Apiafi.

Bill Frare nominated Ato Apiafi for the position representing Minority/Women Owned Businesses.

No other nominations were offered.

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A roll call of voting members voted unanimously to appoint Ato Apiafi to the vacant PRC position of Minority/Women Owned Businesses.

Specialty Subcontractors – 2 Positions (4 Applicants)

Chair Schacht invited applicants to speak to their application.

Bryan Eppler, Director of Strategic Development, UMC, Inc., expressed appreciation for serving on the PRC as he has grown in the role in support of the effort, as well as participating in the MC/CM and GC/CM reauthorization meetings affording him the opportunity to learn more about the statutes the PRC uses to evaluate projects. He actively participates in the contracting community and provided leadership within the PRC having served as chair of many panels. He does not believe he has missed any PRC meeting other than leaving one meeting early. He is committed and has a passion for continuing to provide leadership for the PRC.

Kurt Boyd, Vice President, Valley Electric Company, reported he has a passion for mentoring the benefits of alternative delivery to the industry, to the public, and to the best interests of the specialty contractor community. He has been with Valley Electric Company for 15 years serving as the Vice President. Valley Electric is a market leader and is one of the top three full-service electrical contractors in the state specializing in alternative procurement. Eighty percent of the work is performed through EC/CM and Design-Build or Progressive Design-Build procurement. He has a unique blend of experience as a contractor, specialty contractor, and as an owner's representative since his graduation from the University of Washington. His role is to evaluate and facilitate all alternative delivery pursuits with different multiple-experienced teams and oversee the projects to completion. He has been a team member in over 30 alternative procurement projects at Valley Electric Company including nine projects in various roles during his GC/CM tenure. He is currently working on seven RCW 39.10 projects.

Wade Botting, Owner, W.A. Botting Consulting, LLC, conveyed appreciation for the opportunity to serve on the PRC. It is an honor to be considered. He is looking forward to the opportunity to contribute to the PRC in a meaningful and sustainable way by applying his balanced perspective and approach from his years of experience in the industry both as a mechanical contractor and as an independent consultant. As a member of both teams, he understands the processes and the pluses and minuses for alternative delivery methods. He is looking forward to offering any information he can to assist the Board.

Mike Pellitteri, Founder & President, Pellco Construction, Inc., said he has 35 years of experience with 23 years as a business owner. He has a degree in construction management from the University of Washington and is a veteran of the United States Army. Pellco Construction began as a general contractor with the company completing some GC/CM procurement with most work focused as a subcontractor performing demolition earthwork, utilities, and structural concrete. The company has worked on 20+ GC/CM projects and performed work as a prime and as a subcontractor on Job Order Contracts (JOC). The company is starting its first Design-Build project with Hoffman Construction for a University of Washington project. He is the past president of the National Utility Contractors Association. For the past 14 months he has served on the Board's Reauthorization Committee representing general contractors. He also represents and advocates for the perspective of specialty contractors. He would also be representative of specialty contractors who are not selected through the EC/CM and CCM process.

Chair Schacht offered several comments and questions for consideration prior to the Board's consideration of the applicants. For some of the PRC positions, the Board received applications from candidates representing the same firm. Applicants for the Specialty Subcontractor positions lack of geographic diversity although other positions include applicants from across the state. Although the Board values experience because it contributes to an understanding of the issues, it is also important for position holders to cycle to afford new members and a fresh perspective. It is important for the Board to seek a balance between experienced applicants and those applicants who have never served but might benefit the PRC. Of the four applicants, two are incumbents.

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Ms. Zahn added that in addition to geographic representation, it is important to consider experience for both horizontal and vertical specialties as it would be an important consideration for the membership of the PRC.

Vice Chair Keith noted that Mr. Pellitteri has served as a good resource for the Reauthorization Committee and is hopeful he continues to serve in that role as he has been active with GC/CM. She conveyed interest in learning more about how Mr. Pellitteri would represent specialty contractors as she believes Mr. Eppler and Mr. Boyd are the only applicants currently working as specialty contractors.

Mike Shinn acknowledged that the Board's decision will be difficult because all candidates are excellent. In addition to Mr. Eppler and Mr. Boyd working as specialty contractors, Mr. Pellitteri also works as a specialty contractor, as he is currently serving as a subcontractor on his project.

Mr. Thompson expounded on Mr. Pellitteri's continuing efforts in support of the Reauthorization Committee. The concern of serving as a specialty contractor is important; however, if members believe the candidate does not meet the requirements of a specialty contractor, he would support Mr. Pellitteri's candidacy for a General Contractor position when a vacancy occurs because many PRC candidates are often involved in other Board committees. Mr. Pellitteri has been an engaged and helpful participant as the committee navigates through the reauthorization process.

Mr. Shinn inquired as to whether Mr. Pellitteri's company, as a veteran-owned company, qualifies for a minority position as PRC has one vacant position within that category. Chair Schacht replied that the position represents minority and women-owned businesses and not veteran-owned businesses. Generally, the Board refers to the guidelines established by the Office of Minority and Woman's Business Enterprises (OMWBE). He recommended not modifying position categories at this time and deferring to the Board for guidance. Additionally, the Board's protocol for filling committee vacancies requires several meetings and advertising of the position. It is also acceptable for the Board to select applicants who expand diversity.

Senator Warnick disconnected from the meeting at 9:55 a.m.

Mr. Kuruvilla cautioned that the recruitment publicized five criteria for qualifying as a minority/woman-owned business. He recommended the Board conform to the criteria when filling the vacancy.

Talia Baker responded to questions about the deadline for application submittals and whether the Board has the option to offer nominations for filling positions on the PRC. She advised that because the Board appoints members to the PRC, nominations by the Board are possible.

Chair Schacht said the matter before the Board is consideration of candidates for the first Specialty Subcontractor position.

Lisa van der Lugt asked that the Board conduct proper outreach when considering position vacancies for the Minority/Women- Owned Business positions. It is important to expand diversity on the PRC and she is not comfortable with any changes without a thorough discussion and outreach to the affected communities.

Senator Hasegawa emphasized the strict criteria for the position and that it would likely not be problematic if the Board considered adding a position for a veteran-owned business. However, filling one of the positions for Minority/Women-Owned Businesses is not a right move and likely does not adhere to the intent of the position. Based on current statewide figures, minority business owners represented only one percent of contracting opportunities and women-owned businesses were at two percent. With the advent of the failure of I-1000 or the success of Referendum-88, there must be ways and tools to increase women and minority business participation. The position designated on the PRC is one of the limited tools to increase participation.

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Mr. Pellitteri said he would be honored to be considered for the Minority/Women-Owned Businesses position; however, he lacks expertise in that area and is focused on specialty contracting. He would prefer to be considered for the position of Specialty Contractor.

Mike McCormick joined the meeting at 10:01 a.m.

Vice Chair Keith recommended reviewing the list of published criteria within the recruitment notice, as the candidates do not completely align with the criteria. It merits another review moving forward.

A roll call of voting members resulted in Mike Pellitteri being the successful nominee for the first position of Specialty Contractor.

A roll call of voting members voted in unanimous support of appointing Mike Pellitteri to the first vacant PRC position of Specialty Contractor.

A roll call of voting members resulted in Kurt Boyd being the successful nominee for the second position of Specialty Contractor.

A roll call of voting members voted in the majority (15) to appoint Kurt Boyd to the second vacant PRC position of Specialty Contractor. Matthew Hepner abstained and Irene Reyes did not vote.

Chair Schacht thanked the applicants for applying and urged the applicants to consider participating on committees to improve outcomes for project delivery in the state.

Vice Chair Keith conveyed appreciation to Bryan Eppler for his service on the PRC.

Construction Manager – 2 Positions (5 Initial Applicants)

Ms. Baker advised of the receipt of an email from Dan Chandler requesting withdrawal of his application from consideration.

Chair Schacht reviewed the position description for Construction Manager.

Chair Schacht invited applicants to speak to their application.

David Beaudine, Managing Director, CBRE/Heery, said he previously served on the PRC from 2016 to 2019 and found the time be very informative. The different perspectives from the teams served to help him improve delivery for his clients. He is in charge of all public sector business throughout the state and is a member of Construction Management Association of America (CMAA), is a Certified Construction Manager, and is a member of Design-Build Institute of America (DBIA) as a certified design builder. He is currently responsible for multiple projects throughout the state. Most of the projects are K-12 projects in addition to the aviation sector. He has managed or has been involved in over a dozen alternative delivery projects. He oversees all the company's work in the state and is based in Spokane with connections throughout the state. He is an advocate for alternative delivery when it is in the best interests of the client and taxpayers.

Howard Hillinger, Principal Consultant, Parametrix, Inc. expressed appreciation for the opportunity to be considered for continued service on the PRC. He meets all the requirements of the position both in active work as a construction manager and is a certified CM from CMAA. He is also a DBIA certified professional. He is actively working on all forms of GC/CM and Design-Build to include Heavy Civil and Progressive Design-Build. Quite a bit of the work has focused on infrastructure and heavy civil, which has been underrepresented but is a growth area for the PRC. He has been active with the Board and PRC beginning with the Heavy Civil GC/CM Committee and is currently working as a liaison with the Reauthorization Committee. He is endorsed by the CMAA Regional Chapter and was selected by peers to represent the profession.

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David Jobs, Vice President, OAC Services, reported he has been with the company since 1990 and has approximately 30 years of industry experience. He oversees the firm's Everett office and northwest Washington projects, as well as Sound Transit and King County facilities and projects. He has both Design-Build and Progressive Design-Build and GC/CM project experience. He is a certified construction manager with CMAA and a Design-Build certified professional. He served as Past President for CMAA and serves on the National Sustainability Committee, as well as a member of the Legislative Subcommittee for DBIA. He completed the GC/CM training workshop. His passion involves participation in alternative project delivery evaluation workshops with clients and he wants to be involved with the PRC to take advantage of information sharing.

Jim Dugan, Principal Consultant, Parametrix, reported he currently manages the Tacoma Office and oversees project managers serving as owner's representative for public projects involving K12 facilities and transit facilities. One project was the first Progressive Design-Build project approved for K12. The facility is scheduled to open with no change orders. He was recently asked by the Association of General Contractors (AGC) to be a part of the GC/CM teaching staff beginning in June. As part of CMAA, he is working with the Office of Superintendent of Public Instruction (OSPI) and the Technical Advisory Group to determine how to navigate state matching and D-forms for the Design-Build process. During this unprecedented time of change, he believes he is uniquely qualified in his ability to be nimble and flexible and can use those skills to teach and train new users by using alternative delivery tools.

Bill Frare left the meeting temporarily at 10:19 a.m.

Ms. Zahn commented on the geographic representation currently on the PRC and how the appointment offers an opportunity for the Board to evaluate whether geography should be considered.

Chair Schacht reviewed each applicant's previous term of service on the PRC. Mr. Jobs affirmed that if appointed, it would be his first term on the PRC.

Ms. Thaxton reported on her abstention from voting because she works closely with Parametrix and OAC Services. The slate of candidates represents incredibly talented and experienced individuals.

Based on a tie for candidates David Beaudine and Jim Dugan, the Board pursued a second nominating ballot to nominate a single candidate for the first position of Construction Manager.

The successful nominee for the first position of Construction Manager was David Beaudine.

A roll call of voting members resulted in a majority (14) to appoint David Beaudine to the first vacant PRC position of Construction Manager. Robynne Thaxton abstained and Irene Reyes did not vote.

The successful nominee for the second position of Specialty Contractor was Jim Dugan.

A roll call of voting members resulted in a majority (15) to appoint Jim Dugan to the second vacant PRC position of Construction Manager. Robynne Thaxton abstained.

Bill Frare rejoined the meeting at 10:39 a.m.

Owner-Higher Education – One Position (1 Applicant)

Chair Schacht invited the applicant to speak to her application.

Louise Sweeney, Project Manager Lead, Washington State University (WSU), said she works under the leadership of Olivia Yang and Joe Cline. She is interested in serving on the PRC as a representative of Owners of Higher Education and has been an owner's representative for the majority of her career. She has used alternative delivery methods for the last 15 years. She is DBIA certified and has often presented project proposals to the PRC for WSU projects and believes she is qualified to join the PRC to evaluate qualifications for other project proposals. Her underlying role is to create

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successful teams and help guide the process for alternative delivery methods. She has been involved in developing best practices for WSU and sharing her experiences through various training organizations. She would like to provide an eastern Washington perspective to the PRC and would appreciate the Board's consideration for the position.

Chair Schacht said he has known Ms. Sweeney for some time and has been aware of her work even longer. She is highly capable and has a breadth of experience few can match and because of that experience, she would contribute wisdom and understanding to the PRC process.

Mr. McCormick echoed similar remarks.

Rebecca Keith nominated Louise Sweeney to serve in the position of Owner-Higher Education.

No other nominations were offered for the position.

A roll call of voting members unanimously affirmed the appointment of Louise Sweeney to serve in the position of Owner-Higher Education.

Design Industry-Architect - 1 Position (2 Applicants)

Chair Schacht invited applicants to speak to their application.

Lisa Johnson, Principal, DLR Group, said she is a licensed architect in Washington State and serves as an Architect Principal at DLR Group. For over 20 years, she has worked on learning environment design both at the K12 and higher education levels and has worked with municipalities, such as the City of Tacoma and in partnerships with private-sector contractors. Over that time, she has completed over a dozen alternative delivery projects (Design-Build, GC/CM) including a recent MC/CM project. She is applying to serve on the PRC because she appreciates the work of the Board and the PRC, and to help find ways to achieve schedule, stay on budget, and continue being good stewards for taxpayers in a way that increases collaborative partnerships.

Becky Barnhart, Lead Principal, Integrus Architecture, PS, reported she has 18 years of experience in public works and has had the opportunity to contribute to CPARB's Design-Build Best Practices Committee. Her participation provided an opportunity to be part of the conversation in the state on how best to use alternative public works delivery to improve outcomes that benefits the state overall. She has been able to contribute to that process through various teaching and training opportunities as a faculty member. She is excited to have the potential to represent Eastern Washington. Integrus Architecture has offices in both Seattle and Spokane. She is based at the Spokane office and would provide a unique perspective.

Mr. Thompson encouraged the non-successful candidate to consider participating on the Local Government Public Works Study Committee, which will be discussed later in the meeting.

Chair Schacht said both applicants have demonstrated design professionalism has both have wisdom, intelligence, and are committed to the design community and the larger realm of public works. Both candidates are very well qualified to serve on the PRC. As he is listed as a reference for Ms. Barnhart, he spoke to his knowledge of her experience. They both served on the American Institute of Architects (AIA) Washington Council Board. Ms. Barnhart was a member of the Board's Design-Build Best Practices Committee and committed time and effort to participate in Design-Build Workshops. Ms. Johnson is also highly capable but he can only speak directly to the work he has completed in partnership with Ms. Barnhart.

Ms. Zahn expressed appreciation to Ms. Barnhart for her participation on the Design-Build Best Practices Committee. She was very engaged, contributed to the process, and provided good feedback. Having that knowledge would benefit the PRC when evaluating applications.

A roll call of voting members resulted in Becky Barnhart nominated for the position of Design Industry – Architect.

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A roll call of voting members unanimously affirmed the appointment of Becky Barnhart to serve in the position of Design Industry-Architect.

Chair Schacht encouraged Ms. Johnson to continue participating on Board committees.

Chair Schacht recessed the meeting from 10:55 a.m. to 11:11 a.m. for a break.

During the recess, Senator Hasegawa left the meeting. Members not returning after the break included Matthew Hepner, Mike Shinn, and Irene Reyes.

A roll call of members affirmed a meeting quorum at 11:11 a.m.

Design Industry – Engineer – 2 Positions (4 Applicants)

Chair Schacht invited candidates to speak to their applications.

Jay Ullrich, Vice President, Huitt-Zollars, Inc., noted a correction on the listing as he represents a company located in western Washington rather than eastern Washington. His background appears to be a good fit for the position description. He has worked for an engineering firm as a civil engineer for his entire career of 17 years. He has been a member of DBIA since 2014 and his experience spans K12 school construction and public transportation to include both designing and managing projects. He has a strong working knowledge of alternative delivery methodologies and has hands-on experience in the development and production of Design-Build procurement documents. He also has experience on the contracting side for GC/CM. His interest in the position is to become more involved at the statewide level within the professional community for project delivery, to share his knowledge and expertise to support the professional community and CPARB, and for the opportunity to learn and meet new people. He is fully committed and available and is enthusiastic about the position.

Karl Kolb, Managing Principal, Coffman Engineers, serves as the Managing Partner at the Spokane office for Coffman Engineers. The firm is a multidiscipline office comprised of 130 employees. He has extensive alternative project delivery experience. The value he can contribute to the committee is his passion for Design-Build. He became involved in Design-Build during the 2008/09 era with DBIA in 2009 to help launch the local chapter of DBIA in Spokane in 2011 where he has continuously served the organization as an officer and a board member. As an eastern Washington resident, Mr. Kolb reported he could bring some context to regional differences. The firm has served as both a prime consultant and a subconsultant on many projects. He understands minority and women-owned business goals and how to achieve them. He became involved early in Design-Build and would contribute that context to bear along with the requirements of RCW 39.10 and the public's best interest. He would appreciate consideration of his application as he has been considering joining PRC since 2017 when he initially applied.

Adam Jenkins, Partner & Principal, The Greenbusch Group, Inc., said he applied for a position in 2017 and was not selected. Throughout his career at Greenbusch, he has collaborated with design partners, owners, and contractors on many Design-Build and CM/GC projects. His experience includes horizontal projects, such as the SR 99 deep port tunnel and vertical projects. One example is the north transfer station in Seattle. He has served as a design team member for Progressive Design-Build and GC/CM for K12 and higher education projects in the state, as well as CM/GC projects in the state of Oregon. He is a diligent and committed individual and considers the opportunity of serving very seriously and would seek to engage in the process in a productive and respectful manner to help carry out the role of the PRC.

David Talcott, Director Engineering, Exeltech Consulting, noted that his submittal is a reapplication as he is currently a member of PRC. He meets all the criteria as specified for the position and has 29 years' experience with private engineering firms with 99% of that time involved in the delivery of publicly-funded projects. He has a strong working knowledge of alternative delivery having worked on both the owner side and the contractors side. He is engaged in two projects involving an owner and a contractor. It is an important time in the engineering industry for alternative delivery as there are many lessons to be learned from the projects. He would apply his experience to the PRC and provide input. He has attended all PRC meetings except one where he participated by teleconference. He has no recusals during the

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meetings and participated in many panels both as a panel member and as the chair of the panel. He appreciates the Board's consideration of his application.

Irene Reyes rejoined the meeting at 11:15 a.m.

Vice Chair Keith thanked Mr. Jenkins for his interest in applying and remaining engaged. She asked how his experience, which appears to be focused on acoustical design, would render his ability to evaluate project and certification applications to determine whether the project or the certification should be approved. Mr. Jenkins responded that his area of expertise is primarily in acoustics. He is a licensed professional engineer in the state of Washington for electrical engineering and part of his practice also designs large and small audio/video or paging systems for transit projects and public education facilities. He is well versed in the WACs and the RCWs with respect to noise and those related issues. He is also versed in legal matters in terms of ensuring the public interest is weighed in consideration for project approval. His participation in large transit-oriented projects has also provided him with a broad perspective on some of the larger design-related projects that he otherwise wouldn't have been involved with.

Mr. Kuruvilla commented that as the engineering design professional member of the Board, Mr. Talcott listed him as a reference and he endorses Mr. Talcott. A factor the Board should consider is the number of terms on the committee because the first term provides a learning period while the second term focuses on completing the difficult work. He has known Mr. Talcott for over 30 years. Mr. Talcott is a strong and ethical professional and he admires his knowledge of engineering. Recently, Mr. Talcott has been working closely with Washington State Department of Transportation (WSDOT) staff. WSDOT has expressed interest in pursuing Progressive Design-Build for one of its fish passages projects. Art McCloskey with WSDOT has also endorsed Mr. Talcott. Mr. Kuruvilla added that since he and Mr. Talcott work together, he plans to recuse from voting for the position.

Ms. Zahn said that as a former member of PRC she observed Mr. Talcott and he asked good questions and contributed knowledge to the process. He would continue to provide that level of expertise for both horizontal and vertical construction.

Ms. Thaxton recognized Mr. Kolb who has been very involved with the Inland Washington Chapter of DBIA and has an extensive amount of knowledge on alternative delivery methods. Mr. Kolb has contributed significantly to the industry through DBIA.

A roll call of voting members resulted in the nomination for David Talcott for the first position of Design Industry – Engineer.

A roll call of voting members unanimously appointed David Talcott to serve in the first position of Design Industry-Engineer. Mr. Kuruvilla abstained.

A roll call of voting members resulted in the nomination for Karl Kolb for the second position of Design Industry – Engineer

A roll call of voting members unanimously appointed Karl Kolb to serve in the second position of Design Industry-Engineer.

Chair Schacht expressed appreciation to Mr. Ulrich and Mr. Jenkins for their interest in serving on the PRC. He invited both applicants to consider other ways of participating, such as becoming a member of another CPARB committee.

Owner-State DES – 1 Position (1 Applicant)

Chair Schacht invited the candidate to speak to his application.

Jeff Gonzalez, Project Manager, Washington State Department of Enterprise Services (DES), reported he has been with DES for five year and is actively engaged in alternative public works delivery. He has over 25 years of experience in

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the construction industry and brings a unique perspective having spent much of those years working in the private sector representing cities and counties, and as a private consulting engineer. Most of his experience was as an owner's project manager for private and public sector projects. His interest in serving on the PRC is to offer his experience on integrated project delivery methods and the importance of delivering those projects responsibly for completing successful projects. He has experience with alternative delivery methods and is interested in learning more and sharing experiences with DES, as well as participating at an industry-wide level and sharing experiences and lessons learned. It would be a privilege to serve. He thanked the Board for their consideration.

Mr. Frare endorsed Mr. Gonzalez. He has personal knowledge of his expertise as a project manager working in alternative project delivery methods from Job Order Contracting through GC/CM and Design-Build. Mr. Gonzalez is an outstanding individual with great integrity.

Chair Schacht shared that he has known Mr. Gonzalez for approximately four years and has worked with him professionally as Mr. Gonzalez served as the project manager on several mutual projects in eastern Washington. He agreed with Mr. Frare as Mr. Gonzales is disciplined, deliberative, thoughtful, and would bring an eastern Washington perspective to the committee having completed many projects in eastern Washington. Mr. Gonzalez understands the context and the unique issues in eastern Washington.

Walter Schacht nominated Jeff Gonzalez to serve in the position of Owner-State DES. Santosh Kuruvilla seconded the nomination.

No other nominations were offered for the position.

A roll call of voting members unanimously appointed Jeff Gonzalez to serve in the position of Owner-State DES.

Chair Schacht recommended extending the meeting until 3 p.m. A roll call of members reflected a majority of members willing to extend the meeting to 2:30 p.m.

Project Review Committee – Information

Jim Dugan, PRC Chair, Project Review Committee, reported on activities of the committee.

The PRC considered seven applications at the January meeting of which six were project applications. Three of the projects were GC/CM for K12 projects, three were Progressive Design-Build with a mix of K12 and fire district projects. The recertification for the Port of Seattle was approved. All projects were approved.

The first virtual meeting occurred in March. Members reviewed two Progressive Design-Build and two GC/CM project applications. All applications were approved.

At the May 28 and 29, 2020 virtual meetings, members will consider three GC/CM projects and three Progressive Design-Build projects in addition to three certifications for GC/CM from Clover Park School District, Edmonds School District, and Mason Health.

Year-to-date (including May meetings) statistics reflect 20 applications considered by the PRC comprised of 16 projects and four GC/CM recertifications representing over \$1 billion in project costs with at least 50% of the projects for schools followed by public utility district projects.

PRC is receiving more Progressive Design-Build project applications than in previous years for K12 projects.

Chair Schacht inquired about the timing of the rotation of the chair position. Mr. Dugan said a new chair will be elected in 2020. At the May 2020 meeting, the agenda includes the election of the Vice Chair position. Ed Peters is the current Vice Chair and will assume the Chair position at the July meeting.

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Ms. Zahn commented on the opportunity for the PRC to entertain virtual project and certification presentations with the advent of the pandemic forcing the PRC to conduct virtual meetings. Many owners from eastern Washington or others from other areas in the state might benefit from virtual application presentations. Mr. Dugan said the next meeting's agenda includes a discussion on virtual meetings for application presentations to develop a recommendation to the Board.

Reauthorization & GC/CM Committees/JLARC Sunset Review - Information

Vice Chair Keith reported the briefing is a joint report by both committees. She acknowledged the additional participation by stakeholders who attended Reauthorization Committee meetings. The GC/CM Committee pursued many tasks involving best practices analysis and a review of the statute for potential legislative changes. A similar best practices exercise completed for Design-Build took several years to complete. The GC/CM Committee has worked extensively to compile recommendations to forward to the Reauthorization Committee, which were adopted unanimously by the Reauthorization Committee. She acknowledged the support and efforts of Vice Chair Thaxton and GC/CM Committee Co-Chairs Nick Datz and Scott Middleton for their time and efforts.

Some significant changes members are proposing include:

- A recommendation to add a transit position on CPARB with the nomination submitted by the Washington Transit Association. The committee discussed concerns surrounding a quorum and not adding positions based on interest, but considering whether the overall stakeholder representation would be necessary on the Board. Members did not support adding a construction management position on the Board.
- Members agreed to add language on CPARB's roles and responsibilities and discussed whether CPARB should be a regulatory or an advisory organization. Committee consensus recommends retaining the Board's advisory role and adding statute language encouraging competition and adding best practices to the duties and responsibilities of the Board, as well as clarifying the collection of data as subject to the Board's capacity and funding.
- Some minor changes to the JOC statute provisions in collaboration with the Gordian Group are anticipated to be presented to the Board in the summer.
- Members are not recommending any changes to the PRC at this time; however, the committee lacked a full discussion as the committee's work was impacted by the pandemic with many members engaged in addressing COVID-19 issues resulting in some cancelled meetings. More discussions are planned for potential PRC changes during the summer.
- Other open and pending issues for future discussion surround pre-engineered buildings, an issue with a Design-Build Pilot project for WSU, and open issues regarding sunset provisions. Those areas will require more discussion.

Ms. Thaxton expressed appreciation to members of both committees for their work.

Scott Middleton, Mechanical Contractors Association, acknowledged Co-Chair Nick Datz. He thanked Chair Schacht, Vice Chair Keith, and the Board for the opportunity for them to serve in the role of co-chairs. The GC/CM Committee has met approximately 15 times since July 2019 to include many off-line discussions as the committee works through issues. The committee has benefitted from the tremendous involvement by key committee stakeholders and for their valuable input. The proposed changes to the GC/CM statutes were approved unanimously by the committee and forwarded to the Reauthorization Committee, which also unanimously approved the recommendations.

Mr. Middleton and Mr. Datz reviewed the proposed GC/CM statute changes and summarized the rationale for the changes:

- Add a definition for "Risk Contingency" and "Budget Contingencies." Members discussed the confusion surrounding contingencies in construction contracts. For example, a risk contingency has been used to cover budget shortfalls in some cases. It is important to establish clear expectations for the PRC review and discussion on contingencies provided outside the maximum allowable construction costs (MACC). Defining the terms would better ensure funds are used for intended purposes.
- Move numerous language provisions of "heavy civil construction project" throughout RCW 39.10 to one section in RCW 39.10 to avoid creating confusion and difficulty in determining what qualifies a project as heavy civil.
- Add language promoting timelier processing of equitable adjustments, change orders, and claims to address frustrations among contractors, specifically trade partners including small business about the pace of processing time,

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which in some cases impacts compensation. Existing language was intended to protect contractors and subcontractors but it has been deemed ineffective. The proposal reduces the time for processing and providing a response without removing the opportunity or impacting the ability for owners and contractors to resolve claims, equitable adjustments, or changes orders. The proposal deletes “deemed denied” language of the dispute resolution process to afford ability for the parties to work together on a resolution.

Representative Steve Tharinger joined the meeting at approximately 12:00 p.m.

- Clarify scope of independent audits. Minimal guidance is provided concerning the scope of independent audits particularly when a contract or elements of a contract have been negotiated to lump sum. The committee believes that, for better transparency, the scope of the audit should be defined in the contract for construction and provided at the beginning of the solicitation process.
- Clarify use and scope of the fee for any price-related factors in the GC/CM evaluation process. The intent is to enable the GC/CM selection process to be similar to the Design-Build selection process by providing owners with more flexibility on the price components, similar to Design-Build. The proposal maintains the percent fee requirement as part of the proposal submission but lessens the requirement to require a fixed specified general condition.
- Align public solicitation/advertisement language in GC/CM selection with Design-Build selection language. The proposal aligns the advertising requirements for both alternative delivery methods.
- Align evaluation factors for GC/CM selection more closely with Design-Build evaluation language. The change also includes some small business utilization requirements for the evaluation criteria.

Mike Shinn rejoined the meeting at 12:07 p.m.

- Changes addressing MCAWW’s concerns about the EC/CM and MC/CM selection process. The proposal is compromise language promoting an open and fair selection process based on objective criteria. Key changes include: PRC approval for non-certified public bodies seeking to use GC/CM on a project approval basis, notice of public hearing in same publication as call for proposal, cumulative scoring of price and non-price factors, narrowing of evaluation factors to project-at-hand, and clarification regarding SGC’s and fee, written final determination, protests, interviews, and independent audits. MCAWW reduced a number of proposals based on feedback from many stakeholders involved in the committee deliberative process.
- Expand RCW 39.10.385 to all trades. Expanding GC/CM to all trades enables effective engagement in preconstruction while utilizing the refined selection process based on lessons learned from MC/CM and EC/CM.
- Add language stipulating that negotiated support services (NSS) is an “allowance to be reconciled at conclusion of work. The committee wants to provide clarity on the intent of negotiated support services, which is an allowance for the contractor to use on items that are difficult to quantify or difficult to negotiate into a lump sum.
- Provide greater flexibility when all responsive bids exceed available funds. The committee believes that the term “bid package estimate” provides more clarity than “available funds” and to provide more flexibility for public owners and GC/CMs to avoid the time and expense of a rebid. The current figure of \$125,000 in RCW 39.10.380(6)(b) is not relevant with current day standards, and increasing percentage over “bid package estimate” from 2% to 10% provides greater flexibility for public bodies and GC/CMs to negotiate changes to meet the bid package estimate and to avoid re-bidding.
- Clarify subcontractor bid packages. The committee believes the change will increase transparency and improve competition in the subcontractor bid. The bid packages would be more aligned with specifications within the packages across the various trades. The goal is to increase transparency and competition and ensuring the public entity is involved in the decision-making process.

Vice Chair Keith added that the Board also received a copy of the draft bill incorporating all the recommended changes by the GC/CM and the Reauthorization Committees.

Vice Chair Keith said the original work plan included a final draft of the proposed legislation with all changes by May. However, the delivery date has been impacted and the committee should be in the position to present recommendations on

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pending issues at the September meeting. Input from the Board is desired to ensure the Board can achieve consensus on supporting a bill that will move forward to legislative bodies. During the summer, the Reauthorization Committee anticipates meeting every other week to discuss open issues. She encouraged members to either maintain contact with their respective committee member representative or participate in meetings, as well as outreaching to stakeholder groups to ensure issues are not overlooked.

Lisa van der Lugt disconnected from the meeting at 12:15 p.m.

The Joint Legislative Audit & Review Committee (JLARC) is pursuing an independent performance audit and will review issues based on questions included in the sunset statute. JLARC is engaged in the audit and has been meeting with CPARB committees and reviewing CPARB materials posted on the website. JLARC's draft report recommendation is anticipated to be released in September.

Vice Chair Keith reported the original work plan for the Reauthorization Committee included designated positions. Because the construction management industry has been actively participating at committee meetings and representatives have expressed interest in representation on the committee, the Board could add a position to the committee representing the construction management industry. She recommended the Board consider adding a position. Howard Hillinger and Vikki Stocker, representatives from CMAA, have participated in committee meetings.

Vice Chair Keith reviewed open issues. Although, committee members have attained consensus on the overall bill in many areas, some items require more dialogue and input because of competing points of view. One open issue is whether the committee believes it is appropriate for the statute to sunset at some uncertain date in the future with the Board subject to a performance review by JLARC. The committee has not resolved the issue and many members believe Board input over the summer would benefit the committee's deliberations.

Another open item is WSU's proposal to use Design-Build for small projects under the \$2 million threshold. Although the committee has discussed the proposals, the committee continues to review options.

Other discussions focused on issues associated with pre-engineered metal buildings. The term is not well defined in the statute. Today, PRC approval is not required for those types of structures.

As noted during the GC/CM recommendations by the co-chairs, one recommendation was adding small business inclusion as one of the evaluation factors in the GC/CM statute. The women and minority business language that was previously added to the Design-Build statute, and this language is recommended for the GC/CM statute. However, an open issue remains pertaining to some small business proposals. The Business Equity and Diverse Business Inclusion Committee offered to review the issue and provide a recommendation during the summer to ensure the proposals are addressed.

Several outstanding issues remain on the Job Order Contracting statute based on discussions with the Gordian Group. However, some agreement was recently attained and it needs to be reviewed by the JOC Evaluation Committee and the Reauthorization Committee.

Ms. Thaxton thanked everyone who has participated or provided input to the Reauthorization Committee. She stressed the importance of Board member participation by providing input on the open issue of reauthorization. She encouraged members to ask questions and provide comments to enable the committee to advance a solid and well-supported reauthorization bill in September. The proposed GC/CM statute revisions required quite a bit of compromise. The Reauthorization and the GC/CM Committees view the recommended proposals as a package.

Mr. Thompson inquired as to whether the Board is scheduled to act on the proposed GC/CM statutory changes at the September meeting. Vice Chair Keith advised that would be the goal, but because the JLARC report is due concurrently, it might entail an additional review of the proposal between the September meeting and the last Board meeting of the year before introduction of the legislation. The goal is to present the final recommendations of the Reauthorization Committee in September for CPARB's review and approval.

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Mr. Thompson noted that the proposed GC/CM statutory changes encompass 11 different areas within the statute. He suggested an option of assigning leads to each topic to ensure a final recommendation is completed by the September deadline. Ms. Thaxton advised that each topic had a “champion” and the committee flushed the topics to the point where additional research is currently in progress with additional meetings planned. If the Board wants to provide input, each member should review the proposed GC/CM changes and offer comments or questions, review and comment on the open items, and if possible, attend committee meetings.

Vice Chair Keith asked members to review the draft bill and the open items and consider the proposals when the Board is scheduled in September to vote on a draft bill. Ms. Thaxton encouraged the Board to offer input on any issues sooner rather than later to ensure the committees have time to address and resolve issues.

Mr. Thompson requested clarification as to whether the Board’s September meeting will include action on the Reauthorization Committee’s recommendations. Vice Chair Keith responded that the Board has meetings scheduled in September and in October. In terms of timing, the preference is to have a draft bill for review by the Board in September for adoption in October.

Chair Schacht agreed on the importance of the Board reviewing the committee’s proposal in September in conjunction with JLARC’s sunset review to afford a side-by-side comparison. Typically, the Board has an informational meeting to discuss the proposals prior to the Board’s action. The proposals are encouraging and he applauds the GC/CM Committee for addressing some significant thorny issues, particularly E/MC/CM issues. The recommended solution not only solves problems identified early on, but it will also increase the level of which owners will consider using alternative project methods and GC/CM. One pending issue surrounds the definition of “MACC” because it has two different interpretations in the world of publicly-funded capital projects. He suggested the GC/CM Committee consider another definition of MACC in GC/CM contracting, which includes the total cost of all subtrades versus the definition of MACC for Design-Build projects where most of the procurement is the total cost of construction.

Mr. Kuruvilla commented on the consideration to add a CMAA position on the Board. During the last several committee meetings he did not sense widespread support of the proposal and would prefer additional discussion by the Board. Vice Chair Keith acknowledged her summary of the suggestion might have been confusing. When the Reauthorization Committee considered adding a position for transit, there was strong consensus because of the desire to include more horizontal construction background representation on the Board, which would entail revising the statute to include a transit position on the Board. There was also some discussion by some private sector representatives to include the same balance between public and private represented on the Board. The committee discussed whether to add another private sector position on the Board over the course of several meetings. Representatives of CMAA offered a proposal to add a construction manager representative on the Board. The committee discussed whether that would be a public position or a private position in addition to proposals to add a representative from eastern Washington representing any private industry or adding a private representative from general contracting or specialty subcontracting. Ultimately, a motion was never offered to add a construction management industry representative or any other additional representative other than transit on the Board. However, CMAA representatives asked to become a member of the Reauthorization Committee. When she offered initial recommendations to the Board for committee positions, a CMAA position was not included. However, CMAA representatives have actively participated in committee meetings and are represented on the PRC. Additionally, committee discussions over the summer will include the PRC. Linneth Riley-Hall with Sound Transit and Howard Hillinger representing CMAA raised questions since one of the proposals is to expand RCW 39.10.385 to all trades. She believes it makes sense to consider adding a construction management representative to the Reauthorization Committee, which requires approval by the Board.

Mr. Kuruvilla offered that the Board might want to step back and consider whether it is necessary to add another position. He questioned why the addition of a position would only include adding a construction management position as there were some questions as to why another design professional position could not be added. He suggested the Board consider stepping back to reevaluate the validity of adding another position on the Board. Ms. Thaxton and Chair Schacht pointed

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out that the proposal is to add the position to the committee rather than to the Board. Mr. Kuruvilla acknowledged the clarification.

Chair Schacht supported the recommendation by Vice Chair Keith.

Vice Chair Keith said CMAA representatives have requested a position on the committee. She is concerned that if CMAA does not believe its voice has been represented, proposals would not receive adequate consideration. The Reauthorization Committee supported adding a transit position to the Board but no other additional positions.

Mr. Kuruvilla voiced support for including a position on the Reauthorization Committee representing CMAA.

Jolene Skinner, Department of Labor and Industries, asked whether there was any consideration to add apprentice utilization to the requirements within the evaluation criteria for GC/CM. Mr. Middleton said the committee did not discuss apprentice utilization as the issue was not raised. Ms. Skinner recommended the committee consider adding apprentice utilization as Senate Bill 6239 was passed during the last legislative session adding the history of apprentice utilization to the responsible bidder criteria under RCW 39.04.350. It is an important issue for some stakeholders, the Governor, as well as a way to increase apprentice utilization.

Mr. Datz acknowledged the suggestion and pointed out that RCW 39.04.350 applies to all public works and not just traditional Design-Bid-Build. Ms. Skinner agreed that the provision would apply when awarding a contract; however, she encouraged the GC/CM Committee to consider adding apprentice utilization as a criterion to contract proposals. The Department of Labor and Industries is working to promote transparency of the requirement as the department did not receive funding as part of the bill for inclusion of a company's history of apprentice utilization on the department's website. Department staff is working on a supplemental budget request for the next legislative session to include the information on the department's website to enable anyone to review the historical record of any contractor.

Vice Chair Keith questioned whether labor is currently represented on the GC/CM Committee. Mr. Middleton affirmed the attendance of Todd Mitchell, a representative of labor.

Rebecca Keith moved, seconded by Robynne Thaxton, to add an action item to the Reauthorization Committee Report to consider the addition of another position on the Reauthorization Committee.

A roll call of voting members unanimously approved the motion:

Rebecca Keith moved, seconded by Robynne Thaxton, to add a position to the Reauthorization Committee representing CMAA with the member to be designated by CMAA.

No nominations were offered for the position.

A roll call of voting members unanimously approved the motion:

Mr. Hillinger thanked the Board on behalf of MCAA. The MCAA Board is scheduled to meet next week and he will convey to the Board his willingness to serve on the committee and will forward information to the committee regarding the name of the candidate.

JOC Evaluation Committee – Information

Linda Shilley, Chair, JOC Evaluation Committee, presented the report on Job Order Contracting Data Analysis from 2008 to 2017.

From 2008 to 2017, JOC contracts throughout the state increased by 207% representing a 322% increase in dollar value of work completed. From 2010 to 2017, JOC subcontract value increased by 375% with an increase in WMBE participation.

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Public owners utilizing JOC since 2008 increased by 425% attesting to the work the Board and committees have pursued for promoting alternative delivery methods.

Ms. Shilley acknowledged Quinn Dolan as Co-Chair and his efforts in developing the report. Data from 2018 will be submitted no later than May 29, 2020 and 2019 data will be submitted no later than June 26, 2020. The committee is nearing the conclusion of catching up on data collection. The committee's next priority is production of a best practices manual. A draft outline was distributed to committee members for review. At the next meeting, scheduled on May 21, 2020, the committee will review proposed legislative changes from the Gordian Group.

Vice Chair Keith asked about the delineation of responsibility for public owners to report annually in terms of the division between DES collection of data and the committee's collection of data. She asked whether it is the committee's responsibility to track data or the responsibility of DES. Ms. Shilley replied that DES sent the request to all public agencies and established the deadlines for response along with the spreadsheets for public owners to complete. At this time, DES is soliciting data.

Ms. Zahn requested additional information on outcomes from legislation increasing the JOC limit on work orders from \$250,000 to \$500,000 with some provisions for workforce development and apprenticeship and whether the data would document results. Ms. Shilley responded that the JOCE Committee included the information on data collection forms. She offered to follow-up to confirm whether the spreadsheet distributed in April included the request for that information.

Business Equity/Diverse Business Inclusion Committee – Information

Chair Schacht reported the committee has not held a meeting for several months pending the results of I-1000 and as the state of Washington's process evolves. He followed up with Ms. van der Lugt's team last week with a meeting tentatively scheduled for early July. Generally, the committee plans to leverage the work completed in the State Disparity Study and draft a series of recommendations on best practices. The Disparity Study recommends best practices as the first step to improve outcomes before statutory revisions. The committee will start with the Community of Practice Principle OMWBE included in the Disparity Study. OMWBE is modeling inclusion plans, with the first on JOC followed by Design-Build and GC/CM.

A second component is determining whether data is collected by the state for non-state public works in the state. OMWBE is also exploring efforts as there is a separate process of improving the interface with One Washington, OFM's data collection tool, as the state is moving to a cloud-based solution. Funding was provided in the supplemental state budget to support those efforts. As OMWBE is leading the effort for the state, work by the committee is pending until OMWBE is at a point to help guide committee discussions. At the next committee meeting, members will review some recommendations for small business inclusion Dan Seydel offered.

Rex Brown, who is spearheading OMWBE's Disparity Study, has indicated the effort is seeking real-time data in a world where it cannot be obtained. The issue revolves around the constant question often raised by the Board on what data should be collected, what data is reliable, how to collect data, and how is it related to the Board's responsibilities. Agencies charged and funded to collect and evaluate the data continue to experience ongoing struggles.

Data Collection Implementation Committee – Information

Aleanna Kondelis reported the committee met on April 30, 2020. Members discussed the ongoing proposed report from the collection of information from PRC's recertification application. Members discussed a number of points derived from the information and continue to discuss standardization or a submittal form for subcontractor and self-performing information for GC/CM recertification applications. Both she and Mr. Thompson met with JLARC representatives on May 5, 2020 for an introductory meeting to review the committee's work. A memorandum was forwarded to Chair Schacht and Vice Chair Keith on the committee's response to JLARC Recommendation #3. Recommendation #3 is the charge to CPARB to collect information and propose a response to JLARC's Recommendation #3. Recommendation #3 provides a single collection point for subcontractor and self-performing contractor awards for GC/CM projects. The addition of the PRC recertification application question #6 will provide the ability to collect that information moving

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forward with potential adjustments and expansion to other PRC applications. The next committee meeting is tentatively scheduled prior the Board's September meeting.

Mr. Thompson added that the Data Collection Implementation Committee's focus is on Recommendation #3 from the JLARC Report. Members need to determine next steps between now and September. One of the questions is whether to consider extending data collection to PRC project applications.

Mr. McCormick and Ms. Kondelis agreed with the Chair's recommendation to defer reports from the Education Committee and UW Critical Care Roster because of the lack of time.

Subcontractor Bid Listing Report Committee (SB 5457) – Action

Bill Dobyms reported the committee has not held a meeting because of the efforts for reauthorization, the GC/CM Committee's efforts, and the pandemic. The goal is to meet in the next several weeks and schedule a series of meetings to enable presentation of a draft report at the September Board meeting with a final recommendation presented to the Board in October for presentation to the Legislature.

Mr. Dobyms reviewed a list of members appointed by the Board in February.

Mr. Thompson noted that because of the nature of the subcontractor bid listing, committee membership should be extended to WSDOT and schools as SB 5457 will become effective on June 11, 2020.

Mr. Dobyms replied that the report to the Legislature is specific with three items to address. He believes it is possible to complete the report by the September meeting.

Chair Schacht commented that everyone involved in the request from the Legislature agreed the September 2020 deadline was too soon because the Board is engaged in reauthorization. Stakeholders agreed the report would not be due until the next legislative session. When the legislation was passed, the submission deadline was overlooked. However, all stakeholders continue to agree the intent is to deliver the report in September 2021. OFM also communicated a similar understanding of the revised deadline.

Mr. Frare said he understands that the report is due at the end of the biennium on June 30, 2021, which was conveyed when the Legislature was notified the original deadline was too ambitious for CPARB given its current workload on reauthorization.

Chair Schacht suggested the committee should develop a comprehensive list of stakeholders as the current list does not include public owners that might be significantly impacted.

Mr. Thompson agreed and referred to his previous recommendation to include public agency, schools, and WSDOT representatives. Chair Schacht agreed it would be possible for the Board to approve the addition of a WSDOT representative with WSDOT appointing the member. In terms of an appointment for public owners, he is not aware of a specific entity that could offer a nomination. He recommended considering a member representing higher education as well.

Mike McCormick disconnected from the meeting at 1:20 p.m.

Mr. Frare offered to follow-up with an entity for public owner representation.

Ms. Thaxton said she planned to participate on the committee because of the potential impact on Design-Build. She also represents several public owners. She asked to receive information on future meetings.

Chair Schacht recommended nominating representatives from WSDOT, DES, Higher Education, and a Board member who represents the private sector [Ms. Thaxton] to ensure industry-wide participation on the committee.

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Ms. Zahn agreed and indicated the Port of Seattle would participate but not as a member of the committee.

Mr. Buckingham commented on the extensive amount of time required for reauthorization, which may hinder some participation; however, since the deadline was extended, it is likely the issue will generate interest across the industry. Reaching out and including additional entities would be very important.

Ms. Mooseker said part of the challenge is recognizing all public owners are different. For school districts, she recommended a similar approach as the Port of Seattle by sending a representative to participate rather than serving as a member.

Mr. Hillinger said CMAA would also send a representative to either serve or participate on the committee.

Mr. Thompson commented on the importance of expediting the formation of the committee as the legislation becomes effective in June creating the possibility of issues.

Vice Chair Keith pointed out that the tasks assigned to CPARB were outlined in the statute and addressing other challenges created by the statute was not the charge to the committee.

Chair Schacht called for nominations for the public owner position representing WSDOT.

Andrew Thompson nominated Denys Tak from WSDOT or another individual appointed by Mr. Tak. No other nominations were offered for the position.

A roll call of voting members unanimously approved the nomination of Denys Tak representing Public Owner – WSDOT.

Bill Frare nominated Jeff Gonzalez to the position representing DES. No other nominations were offered.

A roll call of voting members unanimously approved the nomination of Jeff Gonzalez for the DES position.

Chair Schacht suggested a motion to suspend Robert's Rules of Order for calling three times for additional nominations for committee members.

Vice Chair Keith expressed some concerns surrounding the appointment of public owners, who are interested in clarity because they want to avoid bid protests; however, the issues were initially raised by subcontractors and labor. The process is concerning to her as she believes their participation is critical and perhaps the Board should encourage the Co-chairs to seek additional active participation from those communities.

Chair Schacht agreed based on how the discussion was initiated and how the Board became involved. It appears the committee should be comprised of 14 members representing all interested parties.

Discussion ensued on the appropriate process for establishing the committee and appointing appropriate members representing the private sector.

Rebecca Keith moved, seconded by Garrett Buckingham, to establish the following positions on the Subcontractor Bid Listing Committee with members designated by the entity as noted:

- ***Higher Education – Mike McCormick***
- ***Construction Manager – CMAA***
- ***General Contractor – AGC***

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A roll call of voting members approved the motion.

NEW BUSINESS

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

Mr. Frare introduced Jon Rose with Municipal Research & Services Center (MRSC).

Mr. Rose updated the Board on the status of the study process, proposed timeline change, and next steps.

At the last update, the content collection effort consisted of interviews, a survey, and analysis of L&I data. The survey has been completed and analysis of the data is in process, as well as analysis of L&I data for insights based on survey input and subsequent interviews. The final report is progressing with the methodology fully developed and extensive outlining of the other sections to be completed.

Approximately 470 respondents participated in the survey with 300 full surveys completed. Respondents included public agency entities and businesses. The survey was comprised of a series of demographic questions and questions specific to public agencies or businesses.

The proposed modified timeline would delay delivery of the report to the Board to either December or January 2021. The role and responsibility of the Board is to provide recommendations based on the information gleaned from the study process. MRSC's role is neutral in terms of legislative recommendations. MRSC is seeking input from CPARB on the specific study recommendations. Initially, the May meeting was scheduled to present the draft study to a subset of CPARB members. However, because of the impact of COVID-19 and the complexity of the topics, the timeline has been modified with a goal for the Board to appoint a committee to review and discuss the recommendations over five sessions during the summer with the goal to produce a series of recommendations and an Executive Summary for presentation at the Board's September meeting. Following the review, MRSC and the subcommittee would respond to feedback and comments and finalize the recommendations for the Board's approval of the report.

The Board is asked to assign additional committee members to the committee to discuss some of the prevailing themes from the surveys and interviews. The themes center on raising thresholds, creating uniformity for the thresholds across various agency types, small business inclusion, and minority and women-owned business inclusion. The five sessions would be approximately two hours in duration beginning at the end of May through the end of August/September based on scheduling availability. Members identified at this time include Matthew Hepner representing certified electrical workers, Eliza Young representing the City of Seattle, and Karen Mooseker representing Mukilteo School District. Mr. Rose acknowledged the support and involvement by Mr. Thompson who has engaged in several conversations and referred MSRC to a variety of resources.

Mr. Thompson commented that MSRC is the professional entity when it involves data collection. Most public agencies recognize MSRC's important role in data collection. The ability of the Board to identify different stakeholder groups to help the team move forward over the next several months is important. He asked all meeting participants with an interest in public works and how data affects decision-making to consider serving on the committee.

Chair Schacht noted Jolene Skinner with L&I has been working with MSRC and JLARC to provide data for the bill. She has offered to serve on the committee.

Michael Transue reported he is responsible for governmental affairs with Mechanical Contractors Association of Western Washington (MCAWW) at the Olympia office and was engaged with the Legislature on SB 5418. He offered to serve as a member of the committee on behalf of MCAWW.

Ms. Zahn reported Washington Public Ports Association (WPPA) is also interested in the thresholds. She offered to follow up with the association to assign a representative to serve on the committee.

Mr. Frare added that a representative from the counties should also be a member of the committee.

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Chair Schacht recommended establishing a committee of seven members.

Representation by the contracting stakeholder community was discussed. Several members supported the appointment of Mr. Transue to represent subcontractors as a stakeholder group. Mr. Thompson recommended contacting AGC to designate a general contractor representative as a member of the committee.

Chair Schacht and Vice Chair Keith reviewed the proposed stakeholder groups: general contractors (AGC), specialty contractors (Mike Transue), Ports (WPPA), L&I (Jolene Skinner), Counties, Schools (Garrett Buckingham). Vice Chair Keith offered that public utility districts would also likely be impacted and should be represented on the committee.

Rebecca Keith nominated Jolene Skinner with L&I to serve on the Local Government Public Works Study Committee.

No other nominations were offered.

A roll call of voting members approved the appointment of Jolene Skinner with L&I to serve on the Local Government Public Works Study Committee.

Janice Zahn nominated Chris Herman with WPPA to represent Ports on the Local Government Public Works Study Committee.

No other nominations were offered.

A roll call of voting members approved the appointment of Chris Herman with WPPA representing Ports to serve on the Local Government Public Works Study Committee.

Walter Schacht moved, seconded Mike Shinn, by to request Counties, MCAA, AGC, and PUDs nominate representatives to serve on the Local Government Public Works Study Committee.

A roll call of voting members approved the motion for appointment of representatives from Counties, MCAA, AGC, and PUDs.

UW Critical Care Roster Report Q&A - Information

Chair Schacht advised that the report is posted on the CPARB website.

ADMINISTRATIVE

CPARB Budget Report – Information

Chair Schacht acknowledged the support of DES for sponsoring the Board and hosting additional meetings. He recommended the Board consider pursuing a legislative budget request appropriate to sustain the Board's functions.

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Chair Schacht thanked members for their support and commitment over the last two years. He thanked Nancy Deakins and Talia Baker for supporting the Board.

Speaking on behalf of the Board, Vice Chair Keith thanked Chair Schacht for his leadership.

Vice Chair Keith asked Mr. Frare about the appropriateness of members emailing an estimate of their time spent on Board activities to help support a budget request for the Board. Mr. Frare said DES has some ideas surrounding CPARB funding. He recommended following up with a discussion after the meeting.

Vice Chair Keith reviewed the proposed September meeting agenda. Members agreed to receive most committee reports as a pre-read and condensed committee reports.

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The September 10, 2020 agenda was approved to include:

- Reauthorization Committee – Discussion & potential review of JLARC Report
- PRC Committee & Potential PRC Appointments
- GC/CM Committee
- Business Equity/Diverse Business Inclusion
- Data Collection Implementation
- Education Committee
- Board Development Committee
- Project Review Committee
- Subcontractor Bid Listings Policies Committee
- Local Government Public Works Study Committee

ADJOURNMENT - *Action*

Bill Frare moved, seconded by Mike Shinn, to adjourn the meeting at 2:26 p.m. Motion carried unanimously.

STAFF & GUESTS

Ato Apiafi, Ato Apiafi Architects, PLLC
Talia Baker, Department of Enterprise Services
Becky Barnhart, Integrus Architecture, PS
David Beaudine, CBRE/Heery
Wade Botting, Botting Consulting, LLC
Kurt Boyd, Valley Electric Company
Aaron Cavin, Joint Legislative Audit & Review Com.
Dan Chandler, OAC Services, Inc.
Kellee Christensen, King County
Nick Datz, Sound Transit
Nancy Deakins, Department of Enterprise Services
Quinn Dolan, Centennial Construction
James Dugan, Parametrix, Inc.
Bryan Eppler, UMC, Inc.
Jeff Gonzalez, Department of Enterprise Services,
Valerie Gow, Puget Sound Meeting Services
Chris Herman, WA Public Ports Assn.
Howard Hillinger, Parametrix, Inc.
Janet Jansen, Department of Enterprise Services
Adam Jenkins, The Greenbusch Group, Inc.
David Jobs, OAC Services, Inc.

Lisa Johnson, DLR Group
Jeff Jurgensen, OAC Services, Inc.
Karl Kolb, Coffman Engineers
Aleanna Kondelis, University of Washington
Art McCluskey, Washington State Dept. of Transportation
Scott Middleton, MCAWW
Mike Pellitteri, Pellco Construction
Ed Peters, Edmonds School District
Shari Reiter-Johnson, Department of Labor & Industries
Jon Rose, Municipal Research Services
John Salinas II, Salinas Construction, Inc.
Linda Shilley, Pierce Transit
Melanie Stidham, Joint Legislative Audit & Review Com.
Louise Sweeney, Washington State University
David Talcott, Exeltech Consulting
Michael Transue, MCAWW
Jay Ulrich, Huitt-Zollars
Melissa Van Gorkom, WA State Legislature – SCS
Charles Wilson
Olivia Yang, Washington State University

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net