**GCCM Committee – Summary of Potential Legislative Changes**

**(Revised 03/03/20)**

| **No.** | **Subject** | **Statute(s) Affected** | **Discussed** | **Assigned To** | **Status** | **Vote** |
| --- | --- | --- | --- | --- | --- | --- |
| 1. | Define “risk contingency” (contractor’s contingency) “budget contingencies” (owner’s reserve) and “design development contingency” | RCW 39.10.210 | 8/1/19 9/4/19 10/14/19 | Keith, Andy, Sam, Shannon, John, Scott | Debated at 1/28 meeting; revision will be presented on 3/10 |  |
| 2a. | Considering moving “heavy civil construction project” language, currently scattered throughout RCW 39.10, into one statute | Various | 10/14/19 | Nick, Janice, Scott | Debated at 1/28 meeting; Checking w/ stakeholders re any concerns  Deadline: further discussion on 3/10 |  |
| 2b. | Harmonize GCCM and heavy civil construction project language? | Various | 12/4/19 | Nick, Janice, Scott | Debated at 1/28 meeting; In progress |  |
| 3. | Add language to promote timelier processing of equitable adjustments, change orders, and claims (“deemed denied”) | RCW 39.10.350 | 8/1/19 | Mike, Shannon, Janice, Rebecca, John | Debated at 1/28 meeting with follow-up on 2/11 | **Tentative Agreement** |
| 4a. | Define/clarify scope of “independent audits” in heavy civil construction projects, particularly with lump sum contracts; if changed, also consider changing RCW 39.10.385 audit | RCW 39.10.350  RCW 39.10.385 | 8/1/19 | Scott, Dave, Nick | Debated at 1/28 meeting; revision presented on 2/11 | **Tentative Agreement** |
| 4b. | Conversion of GCCM/E&M CCM/heavy civil construction project contracts to lump sum | RCW 39.10.350  RCW 39.10.385 | 12/4/19 | Scott, Dave, Nick | Debated on 2/11 | **No Vote and no further action required** |
| 5. | Clarify Fee/SGCs/price-related factors, such as cost allocation and clarity at the issuance of the RFP | RCW 39.10.360 | 9/4/19 9/25/19 10/22/19 | Scott, Shannon, Nick | Draft language received on 12/27/19 | **Tentative Agreement** |
| 6. | Align public solicitation/advertisement language with D-B procurement; any change may impact RCW 39.10.380, RCW 39.10.385, RCW 39.10.390, and RCW 39.10.400 | RCW 39.10.360 **- T/A**  RCW 39.10.380 **- T/A**  RCW 39.10.385  ~~RCW 39.10.390~~  ~~RCW 39.10.400~~ | 9/25/19 | Nick | Draft language received on 1/7/20; discuss ad language for .385 at 2/25 meeting | **Tentative Agreement**  **on .360 and .380** |
| 7. | Align evaluation factors for GCCM selection under RCW 39.10.360(3)(a) more closely with D-B procurement | RCW 39.10.360 | 9/25/19 | Andy, Nick | Draft language received; discussed on 2/11; Continue discussion on 3/10 |  |
| 8. | GCCM evaluation factors – remove “negotiated” language from RCW 39.10.360(3)(a)(ii) | RCW 39.10.360 | 10/14/19 | Scott | Draft language received on 01/02/20 |  |
| 9a. | E/M CCM - MCAWW proposals | RCW 39.10.385 | 10/22/19 11/7/19 | Scott | Draft language received on 10/22/19; debated on 2/25 but no action; resume discussion on 3/10 |  |
| 9b. | E/M CCM – open to trades other than M & E | RCW 39.10.385 | 10/22/19 11/7/19 | Keith, Dave | Draft language received on 01/06/20; to be discussed on 3/10 |  |
| 9c. | E/M CCM - more inclusion of MWDBE | RCW 39.10.385 | 10/22/19 11/7/19 | Rebecca | Referred to Business Equity Committee; BEC proposed language to review which we will do on 3/10 |  |
| 10. | GCCM evaluation factors – more inclusion of MWDBE | RCW 39.10.360 | 10/14/19 | Rebecca | Referred to Business Equity Committee; BEC proposed language to review which we will do on 3/10 |  |
| 11. | Add language that would make negotiated support services an “allowance” to be reconciled at completion of project. Remove second sentence in RCW 39.10.370(4)? | RCW 39.10.370 | 10/14/19 | Keith | Draft language received on 01/06/20; discuss on 3/10 |  |
| 12. | GCCM procurement of subcontractor – remove “two percent” language from RCW 39.10.380(6)(b) and/or replace with “five percent” | RCW 39.10.380 | 11/7/19 | Keith | Draft language received on 01/06/20; discuss on 3/10 |  |
| 13. | Ensuring fairness in bid opening when GCCM bids on subcontract work | RCW 39.10.390 | 11/7/19 | Mike, Andy | In progress |  |
| 14. | Add language clarifying what “customarily performed or supplied by” means in RCW 39.10.390(2)(a) | RCW 39.10.390 | 11/14/19 | Mike, Dave | In progress |  |
| 15. | Add language addressing subcontractor rights in the processing of equitable adjustments, change orders, and claims. (*see also*, Item #3 above) | RCW 39.10.410 | 11/14/19 | Mike, Shannon, Janice, Rebecca, John | Draft language received on 12/27/19; see proposal #3 TA’d |  |
| 16. | Ability to negotiate subcontracts | RCW 39.10.380 | 12/4/19 | Mike | In progress |  |
| 17. | Technical edits (non-substantive) | Various | All | All | In progress |  |