

Capital Projects Advisory Review Board
Project Feedback Process Workgroup

Meeting Notes 7-6-2023

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Location: via Teams

Committee Members: (14 positions, 8 = Quorum)

X Kurt Boyd	E Art McCluskey
Marvin Doster	E Karen Mooseker
E Lekha Fernandes	X Mike Pellitteri
X Bobby Forch, Jr.	X Irene Reyes
E Thomas Golden	X Linneth Riley Hall
X Jeff Gonzalez	Robynne Thaxton
X Dave Johnson	X Olivia Yang

Guests:

Talia Baker, Staff

Nancy Deakins, Staff

Janice Zahn, CPARB Chair

Meeting started at 9:10 am

A quorum was established at 9:10 am

Kurt Boyd made the motion to approve the proposed agenda, Linneth Riley Hall and several others seconded the motion. Agenda was approved by verbal vote.

Dave Johnson made the motion to approve the meeting minutes from April as submitted, Irene Reyes seconded the motion. Minutes were approved by verbal vote.

Kurt shared that he reached out to Darlene Septelka who is a UW Instructor. He asked her to attend a future PFPW meeting as a guest speaker. He also connected with Steve (*didn't catch last name*) who were some of the original constructors of RCW 39.10 to speak about the foundations and intent of the RCW.

Establish Leadership

Talia explained that CPARB committees can have a chair and several co-chairs if the committee wishes. Kurt nominated Dave Johnson as a Co-Chair. Olivia Yang nominated Jeff Gonzalez as a Co-Chair. After some discussion, both nominations were accepted. Both were voted in by voice vote.

Establish\Draft a Group Charter

Linneth offered to send a sample charter document to Talia as a template for this workgroup's draft and items discussed at this meeting can be plugged in as a starting point.

Olivia suggested discussing the issues this group will be addressing to help with defining the scope\intent\charter of this group. She feels it's important to remember that neither the PRC nor CPARB has policing authority for any misuse of the statute.

New Co-Chair Johnson shared the foundation of this group's development was due to the PRC's only avenue to deal with applicants who are either not following the RCW or are using alternative delivery incorrectly is to deny their use in future applications, which is too late to address the complaint. There currently is no avenue for anyone in the construction industry to report issues or grievances regarding misuse of alternative delivery as they come up, and there isn't a repository for these issues or grievances to be collected for future reference (i.e. a data library). PRC members are only appointed for 3 years at a time, so by the time the applicant returns, it's possible all the knowledge about past concerns with the applicant will get lost.

Olivia suggested the possibility of levels of escalation for dealing with the issues that come up. What that would look like still needs to be researched and discussed. Potential levels include 1) talking to the Owner to inform them a complaint has been made; 2) Set expectations; and 3) after action reporting.

Irene suggested also recording the positive\negative lessons learned.

Kurt Boyd shared a couple more possible levels of escalation.

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Understand the intent of the RCW to better educate Owners and Owners Reps on what the proper process is, referencing Lessons Learned or Best Practices documents. He further suggested starting with the 5 initial phases and working through each one.

Olivia reminded the group that there are other committees that can be coordinated with to help such as the Education Connections Committee, and the GC/CM Committee.

Linneth shared that there are a variety of Best Practices that can be referenced when talking to Owners. There are some 'bad actors' within the community, and the Education Connections Committee could help. Big question is how to address the problems while they are occurring, and what is the appropriate corrective action that can be implemented. She warned to be cautious of duplicating efforts that other committees may already be addressing.

Co-Chair Gonzalez shared that he was not familiar with the work other committee are doing. He agrees that it would be a good idea to list current issues and see if other committees are already addressing some of them. Then this committee could better focus on what is not being addressed. He shared an example from DES where a staff member was creating a problem, but with some education from internal resources, the issue has been resolved.

Mr. Boyd stated that newer owners don't necessarily know what they don't know, so education can be very helpful. It would be good to educate before a problem develops, but identifying how to do that would be something to discuss.

Irene suggested implementing metrics and consequences. If an owner does something more than once, then they must be retrained or take a specific training.

Co-Chair Johnson reminded the group that the PRC cannot force consequences due to lack of policing ability per statute. These have been added to the list of issues to discuss and research.

Talia reviewed the items in the parking lot for the group to address down the road after the Workgroup Scope has been developed.

Olivia suggested grouping parking lot items into buckets to help inform the charter template.

- Pre-Incident – what can be done to make the owner and project successful? Questions could be added to the application regarding the type of training and experience the team has had.
- Post-Incident – levels of escalation (parking lot #1, #2 & #5)
- #3 is Who has policing authority (? State Auditor's Office?)

Mike warned to be cautious to not over complicate the process. The intent is to change negative behaviors with as little effort as possible. The big question is how to educate the community. (Items #6 & #7) He shared an example; the airline companies distribute a report that outlines problems that have come up and how they were resolved. He asked if CPARB wants to consider a regularly scheduled report that gets posted publicly that identifies some of the issues that come up to help modify the negative behavior.

Co-Chair Johnson agreed that would be useful. Some research and review would need to be done since there are different perspectives to any problem.

Linneth shared there is an opportunity to add questions or check boxes to the PRC applications regarding type of training taken. CPARB has had owners come forward to CPARB meetings and share what happened and how they resolved the issue. It allowed CPARB to ask them follow up questions to gain clarity. This could be an option towards giving notice to owners that if they misuse the statute, they could be asked to explain to CPARB why they made the decisions they did.

Co-Chair Johnson suggested Linneth's idea could be incorporated into the escalation list of consequences. He likes the idea of adding check boxes to the application regarding training. When there are multiple people on the project team, who would that single check box relate to? The one consultant who has the experience, or the whole team? This is a bit of a gap and just checking the box won't address the problem.

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Mr. Boyd reminded the group that at the end of the day, the owner has the final say. So, the onus for the education would need to be with the Owner and the Owners Representative because they are in control of the financial part of the project.

Co-Chair Gonzalez suggested starting with a skeleton outline for the group charter. The education aspect will be an important part of the plan.

Olivia suggested avoiding a checked box approach to encourage owners to think about their response. An outline could consist of Pre-incident – Levels of escalation, Post incident, and then reporting to CPARB, Record Keeping

Linneth needed to leave, so it was recommended that a doodle poll be set up for the next meeting. Irene asked for a set schedule that is not first thing in the morning and not 2nd Wednesday of the month.

The Co-Chairs will try to pull together an outline for discussion at the next meeting.

Olivia offered to send some ideas for Pre\Post Issues to Dave and Jeff.

Talia will send out a Doodle poll for the next meeting and send out Action Items, Scope and issues.

Action items from this meeting:

1. Olivia offered to send some ideas for Pre\Post Issues to Dave and Jeff.
2. The Co-Chairs will try to pull together an outline for discussion at the next meeting.
3. Talia will send out a Doodle poll for the next meeting and send out Action Items, Scope and issues.
4. Kurt will connect with Darlene Septelka to attend a future meeting.

Future Topics:

1. Who can stakeholders reach out to when they identify an issue or grievance?
(*Clearing house, Discussion Forum*)
2. What are the steps to take once an issue has been identified?
(*1:1, contacting local trade association, bring to CPARB, use legislation changes only as a last resort*)
3. What are the metrics?
4. Who has the accountability authority?
5. What are the consequences of not complying with the statute?
(*Delay in project\cert approval by 30-60 days?*)
6. What is the best way to educate the community?
7. How can the information regarding feedback\grievances and consequences of noncompliance be distributed?

Meeting adjourned at 10:02 am

References\Resources:

[Project Feedback Process Workgroup](#) webpage

[Project Review Committee](#) homepage

[Capital Projects Advisory Review Board](#) homepage