



STATE OF WASHINGTON
Capital Projects Advisory Review Board

February 23, 2024

Stephanie Curran
Chief Executive Officer
Spokane Public Facilities District
720 W Mallon Avenue
Spokane, Washington 99201

Re: Final Determination on the Spokane Public Facilities District's Application for the Arena Refresh Progressive Design-Build Project Appeal

Dear Ms. Curran:

This letter is the Capital Project Advisory Review Board (CPARB)'s written determination under RCW 39.10.290, to summarize the board's decision in response to your appeal to overturn the Project Review Committee's (PRC) denial of your application to use the Design-Build alternative public works contracting method for the Arena Refresh project reviewed on January 26, 2024. CPARB convened a special meeting under the Open Public Meetings Act (OPMA) to consider this appeal on February 20, 2024. A majority of the full CPARB board voted to overturn the PRC denial at the special meeting. Therefore, you are hereby approved to use Design-Build for the Arena Refresh project.

As background, the Spokane Public Facilities District submitted an application on December 20, 2023 per RCW 39.10.280 seeking approval of the use of the Design-Build alternative public works contracting method for the Arena Refresh project. The project was originally denied by the assigned PRC panel on January 26, 2024, with concerns regarding the schedule, outreach activities and team make up.

On February 2, 2024, Spokane Public Facilities District submitted an appeal request stating the decision was based on arbitrary measures and not based solely on the criteria outlined in RCW 39.10.280.

On February 20, 2024, CPARB convened a special meeting under the OPMA to consider this appeal. Under the advice of the Attorney General's Office and CPARB Bylaws Article VII Section 3f, CPARB focused on the original application, a review of the recorded presentation and Q&A by the PRC panel, and a verbal and written appeal by representatives from Spokane Public Facilities District. After deliberation by the board, a motion was made to overturn the PRC denial. While the board did raise concerns about your compressed procurement schedule and outreach, the PRC denial was overturned on an 11 Yes/5 No votes and your application is approved.

If you have any additional questions, please contact administrative staff for CPARB, Talia Baker at CPARB@des.wa.gov or (360) 790-8322 or myself at zahn.j@portseattle.org (206) 388-8584.

Sincerely,

Janice Zahn, PE CCM
CPARB Chair

cc: CPARB Members
Dierk Meierbachtol, ATG
Nancy Deakins, Department of Enterprise Services
CPARB Archives