

Virtual via ZOOM

May 23, 2024

Members Attending:

Kyle Twohig, Owner – Counties (<i>Chair</i>)	Jessica Murphy, Owner - Counties (<i>Vice Chair</i>)
Eza Agoes, Owner Transit	Karl Kolb, Design Industry Engineers
Becky Barnhart, Design Industry Architects	Art McCluskey, Owner General Public
Alexis Blue, Owner Higher Education	Heather Munden, Owner Ports
Garett Buckingham, Owner Public Hospitals	Jeannie Natta, Owner Higher Education
Timothy Buckley, Private Sector	Catina Patton, Minority/Women-Owned Business
Mallorie Davies, Construction Trades Labor	Mike, Pellitteri, Specialty Subcontractors
Jim Dugan, Construction Managers	Linneth Riley Hall, General Owners
Thomas Golden, Design Industry Architects	Vicky Schiantarelli, Disadvantaged Businesses
Jeff Gonzalez, Owner State	Young Sang Song, Disadvantaged Businesses
Brian Holecek, General Contractors	Kevin Thomas, Construction Trades Labor
Gina Hortillosa, Construction Managers	Lance Thomas, Specialty Subcontractors
Dave Johnson, General Contractors	Anthony Udeagbala, Minority/Women-Owned Business
Jeff Jurgensen, Construction Managers	Taine Wilton, Owner School Districts

8:00 – 10:00 am BUSINESS MEETING

Chair: Kyle Twohig\Jessica Murphy

A Committee quorum of 28 members were in attendance both in-person and virtually with 5 absences.

- Chair Twohig welcomed the 12 in person members and 16 virtual members to the second PRC Hybrid meeting in Spokane.
- Chair Twohig welcomed new members (Garett Buckingham, Lisa Corcoran, Bret Miche, and Heather Munden)
 - Bret Miche greeted the PRC and voiced his eagerness to serve as the newest General Contractor.
 - Garett Buckingham greeted the PRC, shared that he is a past CPARB member and is eager to serve the PRC as the new Owner Public Hospitals representative.
 - Heather Munden is the new Owner Ports representative and is eager to learn how the PRC functions.
 - Lisa Corcoran is the newest Owner General Public representative and was unavailable but will hopefully be at one of the next 2 meetings.
- The CPARB Board Development Committee has been working on a realignment of the PRC position terms to avoid whole stakeholder groups from being replaced at the same time in the future. This will involve shorter terms initially for some of the members, but once reestablished the position terms will be static like they are with CPARB. If someone leaves before the end of their term, the new representative will complete their term vs. an automatic 3-year appointment. Members can reach out to Talia if they want to see the current alignment or have questions.
- Mentorship Program. Vice Chair Jessica Murphy touched asked for 4 volunteers to cover the incoming new members. She will prioritize getting folks connected. Timothy Buckley, Dave Johnson, Jeannie Natta, and Taine Wilton volunteered to be available as mentors.
- Vice Chair Elections. The new leadership term will start on July 1, 2024.
 - Chair Twohig asked if there were any nominations or other interested parties. No additional interested parties were identified.
 - Dave Johnson submitted a letter of interest which has been posted on the meeting event page. He has been on the PRC for 5 years and is very interested in continuing the forward improvement to improve owner readiness and continuing the good work Kyle and Jessica have done over the last year. Timothy Buckley made the motion to appoint Dave Johnson as the new PRC Vice Chair. Jeff Gonzalez seconded the motion. There was unanimous consent to appoint Dave Johnson.
- CPARB Debrief by CPARB Chair Zahn on the Spokane Public Facilities District Project Appeal Hearing from February 20, 2024.
 - CPARB Chair Zahn shared her appreciation for the quality of work that the PRC does.
 - She asked if the minutes from the February Special Meeting were shared with the PRC, and Talia indicated that she shared the link to the [February 20th event page](#) and the [minutes](#) from that meeting.
 - Chair Zahn shared there were 16 of the 21 voting CPARB members attending the Appeal Hearing. Appeals happen very rarely (this is the 3rd one ever received), so the structure of the hearing needed to be reestablished.

- CPARB listened to the original 20-minute presentation, the owner was given an additional 10 minutes to address CPARB on why they felt their project needed to be Progressive Design-Build. CPARB then had an opportunity to ask the owner questions and the Board's deliberation was very similar to that of the PRC's original discussion. There were concerns regarding the tight schedule, was there sufficient outreach, and whether the applicant met the 39.10 criteria. The discussion ultimately factored around the timing of the project. The decision to approve the project was 11 in favor and 5 apposed. While the timing could have been better for a relatively small \$2.8M project, those that voted for the project felt it still met the requirements of 39.10.
- There was some discussion by CPARB around the fact that the owner reached out to Apex to assist with outreach and inclusion efforts, after the project denial by the PRC. With the additional assistance from Hill International supporting the project, concerns were alleviated about adequate outreach.
- CPARB takes appeals very seriously and tried to be thoughtful about whether or not to overturn the PRC's decision.
- PRC Members asked if the applicant should have asked for a PRC Special Meeting instead of revising their schedule and hiring on extra staff prior to the CPARB Appeal Hearing. The applicant had originally only showed 5-days from advertising to when SOQs were due. If the 5-days were an error, they should have just asked for a PRC Special Meeting to submit their revised schedule instead of going the appeal route.
- Chair Zahn additionally pointed out that there were questions about whether the owner received enough opportunity to fully respond to concerns during the Q&A or could have answered if they had been asked during the pre-questions before the review.
- Vice Chair Murphy asked for clarification regarding an appeal. Is the applicant allowed to bring new information into that appeal or should they be evaluated on what the applicant originally submitted to the PRC? That is the detail that the PRC members are confused about because the applicant added information for the appeal that had not been available during the original review. She asks if CPARB could clarify on those requirements prior to any future potential appeals.
- Chair Zahn noted PRC's concerns and will roll that information into continuous quality improvement of the appeal process. She agreed it would have been easier for all involved if the applicant had just requested a special meeting with the updated information. She pointed out that according to the CPARB bylaws, once an appeal is filed, there is a short window for response and scheduling a hearing. (*Article VII, Section I (3) as written in collaboration with the AGO and adopted by CPARB, May 2018.*)
- PRC DBE representative, Vicky Schiantarelli, addressed her concerns as Process and Fact-Finding issues. She had several issues that did not come up and were not discussed at the CPARB Appeal which she felt may have influenced CPARB to support the PRC decision.
 - One example is the Owner had not retained legal counsel, hadn't advertised yet, but the team was intending to move forward with contract development, assemble the RFP, and other elements for publication, all 5 days before the intended advertising date. This led to the belief that the project was not in compliance with the advertisement component of the RCW and the open competitive process. There was discussion on how this impacted the inclusion component and other items as well. The main issue is they were not in compliance with the RCW.
 - Unfortunately, the applicant was allowed to change some of their process in preparation for the appeal. An appeal is intended to be based solely on the original documentation that was submitted, and if there are changes it should be an automatic denial with direction to return to the PRC with their corrections.
 - Vicky stated this is a classic appeal process used by many agencies both public and private. She has served on several appeals committees throughout her career and is concerned with CPARB's process and protocols. Due process was not followed, there was no PRC representation at the hearing, and there were CPARB members speaking as if they were championing the applicant.
 - She believes standard due process should be adopted by CPARB. If the applicant intends to change anything in their application, they should have reapplied with the updated application instead of submitting an appeal.
- Chair Zahn thanked Vicky for her insight. She shared, as part of the Board Development Committee's work they are reviewing the Bylaws, so this is one of the items that they can review and update. She asked if there was an opportunity for the Owner-applicant to make improvements as part of the application process.
- Dave Johnson responded that if an error was made on the application and it is brought up during the review, the applicant can share that there was an error and provide the correction. This has happened for a variety of reasons, and many projects have been approved when this has been identified with the intent to correct the problem.
- Becky Barnhart suggested when there is a denial, the applicant's options are identified in their letter and adding

that they can request a special meeting may help them find a better solution.

- Linneth pointed out that acceptance of new information outside of the application, their presentation and their responses to questions are on a case-by-case basis. The panel needs to feel confident that the applicant made an honest error, will make the corrections they claim, and will be successful.
- CPARB's Project Feedback Process Workgroup had some proposed application questions for the PRC to consider. Dave Johnson and Jeff Gonzalez Co-Chair this workgroup.
 - The Workgroup has been evaluating project issues that have been brought to various members' attention regarding issues on projects where the owners or the project itself isn't following RCW, aren't following best practices, or other issues. They have been working to identify preventative measures, identify a formal process on how to evaluate the complaint before elevating to the PRC or CPARB level, and how to educate the owner or errant party on what the issue is and how to address it. Part of the preventative measures considered is the development of some owner training, and possibly adding additional questions to the applications.
 - Workgroup Co-Chair Johnson reviewed the proposed questions and explained the thinking behind them. There was discussion on the benefits of adding the questions to the applications. The goal is to identify who is monitoring the project and assess owner readiness to use the selected delivery method.
 - Vice Chair Murphy voiced her concerns that the questions as proposed may not accomplish the desired result. She appreciates the workgroup's intent, but feels if they are added to the application, there won't be honest answers. She suggested adding the information into the Organizational Chart or spread sheet that outlines the project teams' experience. Possibly asking 'Who in the organization is reviewing the contractor's subcontracting plan?', and 'Who is reviewing the self-performance packages?' Owners need to be educated and don't know what they don't know.
 - Linneth suggested that if the questions are not added to the applications, then they could be asked during the Q&A. One of her favorite questions to ask Owners is, 'What lessons have you learned that will be applied to this project?' Her concern is the response to the questions the PRC asks the applicant because they will reveal more about what the Owner knows or doesn't know about the chosen delivery method. There also needs to be consideration on what can be done if the owner refuses to answer the questions put forward to them.
 - Timothy Buckley asked, 'What are appropriate questions to ask the applicant if they are not strictly related to RCW criteria?' In his opinion, questions that help the panel better understand the client and their approach to the project are completely appropriate even if they are not considered scoring criteria.
 - Workgroup Co-Chair Gonzalez shared part of the intent of the questions proposed is to help better prepare the Owner for a successful project and not to change any of the criteria in the application. PRC vice-chair Murphy supported this and proposed the idea of adding a reference to some required level of training for the owner.
 - Eza Agoes suggested that, based on discussions regarding owner readiness, that the PRC position expectations entail the PRC members to be 'experienced' with the use of alternative delivery not just 'knowledgeable' about them. Otherwise, it is difficult for a non-alternative-delivery-experienced PRC members to evaluate owner readiness.
 - Taine Wilton noted the RCW requirements intend for the owner to have the knowledge and experience of using alternative delivery and these questions get to the root of how the applicant obtained that knowledge and experience.
 - Chair Twohig stressed how valuable a connection between a new owner and an experience owner can be.
 - Workgroup Co-Chair Johnson shared that he and Jeff have been in conversation with CPARB Education Connections Committee Chair, Curt Gimmestad, as well as Tom Peterson and Linneth who have been trainers for the AGC GC/CM training courses, and they agree there is added value of owners connecting with other owners and it is touched on in their training curriculum.
 - Mike Pellitteri suggested the option of collecting a list of questions that the review panels can select from to ask during the Q&A vs. adding to the application to avoid the potential of canned answers that an owner representative may plug into the application.
 - Chair Twohig supported the conversation as valuable for the PRC as a whole. The whole committee wants owners to be prepared and to have successful projects. There are three primary components of opportunity for evaluation of owner readiness: the application, written pre-questions, and the live Q&A discussion. If gauging owner preparedness, how the applicant responds is just as important as the content.
 - Committee members shared concern if there are responses to the panel questions as 'not relevant', the PRC may want to determine how they will respond to that before the review comes up. If the PRC determines a question is relevant to determine owner readiness and the owner doesn't answer it, that appears to say the owner isn't ready

for alternative delivery. PRC Staff, Talia Baker, pointed out that both project applications include an affirmation that 1) the owner will provide any additional information requested by the committee regarding their organization, the organization's construction history, and the proposed project, and 2) the organization is required to submit the information requested in a timely manner or there may be consequences of delayed action on the application (denial of the application).

- Returning to the PFPW questions, there was discussion and support for the owner's oversight in the prime contractor's bidding and subcontracting terms. It was suggested there are some owners that appear to only concern themselves with the prime contractors and are unaware of how subcontractors are affected. PFPW Co-Chair Johnson pointed out the goal is to help owners be prepared for success before they get to the PRC by evaluating training opportunities and other resources that are available.
- Vice Chair Murphy pointed out that she uses the interview hearing as an opportunity for due diligence to evaluate the public body criteria, delivery knowledge and experience. She suggested a review of the score sheets and analyzing exactly what the panelists are looking for with each question during the review of the application, in the responses to the pre-questions, and during the interview. She'd like to run an informal poll to see if there is consensus and to help guide the decision making on potential changes.
- Vice Chair Murphy asked the committee to think about possible revision of questions in the application that can be asked regarding social equity, MWBE, and outreach that usually come up in interviews. Much of it is data and information that could be gathered prior to the application being submitted. She asked Dave & Jeff if their workgroup has considered addressing those issues as well.
- Chair Twohig noted that one of the great administrative functions of the PRC is the body has the ability to make changes to the applications and bylaws as deemed appropriate. Changes to the application can be changed if they don't elicit the anticipated results.
- Regarding the applicant that didn't answer all the pre-questions, Chair Twohig advised the review panelists to vote how they deem is most appropriate after the full interview is completed.
- Talia reminded the committee that if changes to the applications are requested, she can have a draft ready for review at the next meeting. Any suggestions not addressed today can be sent to Kyle, Jessica and Talia. Dave & Jeff suggested they wordsmith the questions a bit more and then have Talia send them out to the Committee for consideration.
- GC/CM Best Practices Draft
 - The CPARB GC/CM Committee has provided a draft for public comment. They are specifically wanting the PRC to review and provide comments. Talia has the draft and an Excel feedback form on the [PRC May 23rd event page](#) and the [CPARB Homepage](#) under 'What's New with CPARB'. All feedback should be forwarded to the PRC inbox (PRC@des.wa.gov) or CPARB inbox (CPARB@des.wa.gov). Talia will consolidate the feedback (starting June 24th) and forward to Nick Datz to share with his committee to start a final draft for CPARB approval this fall.

10:00 am CITY OF ELLENSBURG – PROGRESSIVE DESIGN-BUILD
– *Ellensburg Fieldhouse Project*

Review Chair: Becky Barnhart

Panel: Dave Johnson, Jeff Jurgensen, Jessica Murphy, Jeannie Natta, Catina Patton, Young Song, Lance Thomas

- Project Cost:\$28.4M
- Build a 150,000 sq ft replacement indoor recreation and wellness facility at Rotary Park. Facility will include an artificial turf field with a walking\running track, basketball courts, volleyball courts, batting cages, multipurpose room, concessions, and business offices.
- Funding will be collected from several sources including insurance from the prior center (which was lost to fire), sale of the property the prior building was on, as well as state and local grants. The final funding will be collected over 4 years from federal, state, and local grants, naming rights to the facility, private funds and other community contributions.
- The public body has a strong experienced team.
- Project meets RCW requirements.

Public Comments: *No Public Comments.*

Deliberation:

There was considerable discussion about the funding of this project. Some of the funding was still in question so the panel supports the focus on the lesser amount and hopes they give further consideration for the possible add-ons in increments since anything over \$10M is in question. There were also concerns that the owner team experience was from other states, and Washington's laws are a bit different. There was also a recommendation that the owner connect with other owners who have successful DB projects, that connection will be invaluable and help guide them through their first DB project. The owner should make sure they stay transparent in decision around cash flow.

Factual Misunderstanding Clarification: Robynne Thaxton provided clarification regarding the first validation period, the design team will present to the owner a phasing and scope analysis for the entire project with option for the entire amount. She is a nationwide design-build consultant and will be available to the owner through the whole process. The owner has a great team, and she is confident this project will be successful.

Conclusion:

Dave Johnson made the motion to approve the Project application and Young Sang Song seconded the motion.
Unanimous Approval 8/8

11:00 am WAPATO SCHOOL DISTRICT – PROGRESSIVE DESIGN-BUILD
- PACE Alt School and Camas/Status Replacement Project (2024 Bond Program)

Panel Chair: Jeff Gonzalez

Panel: Garrett Buckingham, Gina Hortillosa, Karl Kolb, Jeannie Natta, Kevin Thomas, Anthony Udeagbala, Taine Wilton

- Project Cost: \$56.2M
- Phase one will be the construction of a 23,000 sq ft replacement PACE Alternative School building that will include a kitchen, new gym, and 10 classrooms.
- Phase two will be an 86,000 sq ft two-story replacement of the Camas/Satus Elementary Schools.
- Funding was secured via capital projects bond measure in February 2024.
- The public body has a strong experienced team.
- Project meets the RCW requirements.

Public Comments:

Bret Miche with *Graham Construction and management*. With multiple sites, multiple site options, occupied sites and the funding timing of this project, he thinks a progressive Design-Build delivery model is a great idea for this this project. Using the progressive Design-Build delivery model will help to make sure the school districts get the best use of public funds. They fully support this project.

Deliberation:

The panel shared appreciation for the efforts the applicant has put into educating themselves about the different delivery methods and making the best decision for this project, and the application and presentation were well prepared. Schools are the heart of this community and it's vital this project is delivered on time and within budget to ensure the support of obtaining future bonds. The applicant has demonstrated they meet the criteria for this delivery method.

Conclusion:

Anthony Udeagbala made the motion to approve the project application and Taine Wilton seconded the motion.
Unanimous Approval 8/8

12:00 pm LUNCH BREAK

12:30 pm SOUTH WHIDBEY SCHOOL DISTRICT – GC/CM (no ASSP)
– *Facilities Modernization & Upgrades Bundle Project*

Panel Chair: Timothy Buckley

Panel: Eza Agoes, Mallorie Davies, Marvin Doster, Thomas Golden, Catina Patton, Mike Pellitteri, Linneth Riley-Hall

- Project Cost: \$83.8M
- The district has one elementary school and a combined High School/Middle School. Both facilities’ systems are at and beyond the end of their useful life. This project will provide much needed modernizations and upgrades to both facilities and the stadium. These upgrades and modernizations will focus on systems and infrastructure, accessibility and inclusiveness, safety and security, 21st century learning, identity and wayfinding, sustainability and energy efficiency, ease of operation and maintenance, and extending the useful life of the facilities.
- Funding comes from a \$79.8M Capital Bond in November 2023, and anticipated \$M SCAP funding from OSPI.
- Project meets all RCW requirements for Design-Build.
- Project team has been augmented with highly qualified consultants.

Public Comment: *No Public Comment.*

Deliberation:

Many panelists were shocked the applicant didn’t answer the submitted pre-questions as it caused many of them to question if the applicant was ready to use GC/CM. They recommended the applicant reach out to other owners who have used GC/CM and gone before the PRC.

Conclusion:

Mallorie Davies made the motion to approve this project application and Marvin Doster seconded the motion.

Unanimous Approval 8/8

1:30 pm SEATTLE SCHOOL DISTRICT – GC/CM (no ASSP)
– *BF Day Elementary School – Exterior Windows Replacement Project*

Panel Chair: Art McCluskey

Panel: Alexis Blue, Brian Holecek, Jeff Jurgensen, Heather Munden, Vicky Schiantarelli, Kyle Twohig, Taine Wilton

- Project Cost: \$5.8M
- Project is to replace 212 aluminum-clad wood-framed windows and attendant repairs to jambs, sills and headers on a historic landmark elementary school.
- Funding was partially secured via the Building Excellence V Capital Levy passed in February 2019 for \$2.8M with additional funding to be requested in the District’s BEX VI Capital Levy to be submitted to voters in February 2025.
- The project team is qualified and has capacity.
- Project meet RCW criteria.

Public Comment: *No Public Comment.*

Deliberation:

The panel felt this was the perfect GC/CM application and the project wouldn’t work with any other delivery method.

Conclusion:

Jeff Jurgensen made the motion to approve this project application and Heather Munden seconded the motion.

Unanimous Approval 8/8

2:30 pm ADJOURN

Guests:

Addison, John; Korsmo Construction	Maki, Lacey; AECOM Hunt
Alfonso, Layne; GeoEngineers	Maman, Laura; Miller Hayashi Architects
Anderson, Maggie; Parametrix	Markham, Lori; SREC 911
Baibak, Rebecca; Integrus Architecture	Marrujo, Jake; Graham Construction
Bassett, Keith; City of Ellensburg	Mattson, Josh; Asst. City Engineer City of Ellensburg
Bazan, Sylvia; Director Fiscal Services Wapato School District	Mayer, Erin; Absher Construction
Behrends-Corniwey, Heidi; City of Ellensburg	McCain, Kevin; AECOM Hunt
Best, Richard; Exec Director CPP Seattle School District	Miche, Bret; Graham Construction
Bradford, Travis; Swinerton	Miller, Jonathan
Case, Brad; Director of Parks and Recreation City of Ellensburg	Moccia, Dr. Jo; Superintendent South Whidbey School District
Childs, Brandon; SREC 911	Mooseker, Karen; Mukilteo School District
Chrisman, Josh; Walker Construction	Munden, Heather; Port of Seattle
Churchill, Paul; Abbott Construction	Murphy, Ken; ALSC
Cody, Dan; Sr Construction Procurement Manager Parametrix	Nielssen, Eri; Parametrix
Coleman, Chris; Baylay Construction	Olson, Maddie; AHBL
Comer, Sam; Cornerstone	Pierce, Heidi; MMEC Architecture & Interiors
Curtin, Jessica; Abbott Construction	Pleskac, Aaron; CannonDesign
Deakins, Nancy; DES	Poole-Duris, Nicky; BCRA
Dinh, Anna; Lydig Construction	Price, Marissa; PCS Structural Solutions
Dore, Irma; Director of Bus. Development Baylay Construction	Roe, Gareth; BCRA
Dugan, Jim; Principal in Charge Parametrix	Rogers, Aaron; AHBL
Duquette, Aimee; SRG Partnership/CannonDesign	Rooks, Tom; Project Manager Parametrix
Etue, Kelly; Lydig Construction	Sellgren, Kayleah; FORMA Construction
Field, Paul; Director of Finance South Whidbey School District	Sementi, Gene; OAC Services
Franklin, Kristina; Absher Construction	Spoelstra, Michoan; DLR Group
Gardner, Heath; Project Executive Wenaha Group	Stranzl, Justin; DLR Group
Garza, Kelly; Superintendent Wapato School District	Tackett, Bethany; Forma Construction
Gimmestad, Curt; Absher Construction & AGC	Thaxton, Robynne; Thaxton Parkinson, LLC
Gray, Michael	Tomlinson, Zak; Pacifica Law Group
Hartwig, Jake; Project Manager Wenaha Group	Ude Odum, Dala
Hartwig, John	Vandervate, John; Absher Construction
Henderson, Shelly	White, Ryan
Hill, Kevin; Executive Director Wapato School District	Yang, Olivia; WSU
Johnson, Phil; Sr. Project Manager OAC Services	Young, Stuart; BCRA
Julius, John; Director Bayley Construction	Zahn, Janice; CPARB Chair / Port of Seattle
Kent, Mitch; AIA Project Manager Seattle School District	
Kilcup, Brad; GLY Construction	<i>Unidentified:</i>
Klein, Mica; Perkins Coie	<i>M, Lacey</i>
Liu, Ping; Flatiron Inc.	<i>M, Tyler</i>
Lohr, Marcie; Coughlin Porter Lundeen	<i>David</i>
Loynd, Erica; FAIA DLR Group	<i>KB</i>
Luedeman, Jeff; Integrus Architecture	<i>Stenvallal</i>
MacDonald, Ryan; Bouten Construction	

Total Project Approvals for May 23, 2024:

- 2 Design-Build projects totaling \$ 83,585,000
 - 2 GC/CM projects totaling \$ 89,595,000
 - Alternative Subcontractor Selection Applications Reviewed: **0**
- Total for May: \$173,180,000**

Total Project Approvals to date 2024:

- 14 Design-Build projects totaling \$2,787,498,205
 - 8 GC/CM projects totaling \$ 886,039,000
 - Alternative Subcontractor Selection Applications Reviewed: **13** totaling **\$277,773,000**
- Current Total for 2024: \$3,673,537,205**