

Location: via Teams

Meeting ID: 286 966 538 619 **Passcode:** 528oxQ

Committee Members: (20 members, 11 = Quorum)

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| x Lekha Fernandes, OMWBE, Chair | x Santosh Kuruvilla, Exeltech, Co-Chair |
| Irene Reyes, Excel Supply Company, Co-Chair | x Cathy Robinson, University of WA |
| x Frank Boykin, MBDA | John Salinas II, Specialty Contractors |
| x Jackie Bayne, WSDOT OEO | x Young Sang Song, Song Consulting |
| x Stephanie Caldwell, Absher Construction | x Jerry Vanderwood, (Proxy for Cheryl Stewart, Inland Northwest AGC) |
| Bobby Forch, CPARB DBE Representative | X Chip Tull, Hoffman Construction |
| x Shelly Henderson, Mukilteo School Dist. | X Charles Wilson, DES |
| x Aleanna Kondelis, Hill International | X Olivia Yang, WA State University |
| Keith Michel, Forma Construction | X Janice Zahn, Port of Seattle |
| x Brenda Nnambi, Sound Transit | Matt Rasmussen, Benton County |

Guests and Stakeholders:

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| Monica Acevedo-Soto | x Jack Donahue, MFA |
| Shari Bartell, DES | Reasa Pearson, LNI |
| Jennifer Brower, Port of Vancouver | Rachael Pease, BNBuilders, Vendor Diversity Director |
| Michelle Fa'amoe | Cathy Ridley |
| x Monique Martinez, DES | x Steve Russo, UMC |
| Curt Gimmetstad, Absher Construction | Vicky Schiantarelli, Schiantarelli & Associates |
| x Maja Sutton Huff, WSU, Higher education | x Kara Skinner, Integrity Surety |
| Tennille Johnson, OMWBE | Robin Strom, Anderson Construction |
| Bryan Kelley, Howard S. Wright | Ethan Swenson, OMWBE |
| Denia Lanza-Campos | Marissa Woodard-Nave, Forma Construction |
| Patrick McQueen, PCL Construction | Carrie Whitton, Forma Construction |
| x Cindy Magruder, UW | Edson Zavala, Sound Transit |
| Edwina Martin-Arnold | x Erin Frasier, WA State Building & Construction Trades Council |

The meeting began at 1:31 p.m.

Welcome & Introductions

Chair Fernandes welcomed everyone to the meeting and thanked them for their attendance. Given the agenda's length and the obligations that some committee members had, they would be skipping introductions.

Approve Agenda

Co-Chair Santosh Kuruvilla motioned to approve the agenda, seconded by Chip Tull. The motion passed through a voice vote.

Review of project plan

Chair Fernandes shared her screen and pulled up the overview of the project plan. She provided a brief explanation to attendees who had not made the last few meetings of the next direction for the committee. This committee will be focusing on two topics: retainage and change orders. There were already workgroups in place for each of those, and they had met a handful of times to discuss what the work would look like. Chair Fernandes took what the groups had discussed and built out a project plan to determine deliverables for each of the groups.

Aleanna Kondelis pointed out that there were differences in contracting and suggested that the workgroups include representation from contracting professionals who work with both kinds of contracts. This is to ensure that the best practices the groups find are useful. Chair Fernandes agreed with that.

Chair Fernandes suggested the creation of another group to focus on progress payments, another issue highlighted by the committee.

It was noted this may not be the best course of action, since the numbers on the two groups were already diluted. Olivia Yang asked for clarification on where the problem was in regard to progress payments, and if the change order group would be able to address those in their work already.

Janice Zahn pointed out that progress payments were the initial focus of the committee when they were discussing prompt pay, but that the larger lingering issue was change orders. Retainage was added with the assumption that it would be easier to address and would have a high impact since it tends to be a sticking point at the end of a job.

Cathy Robinson agreed with Janice's point but added that, like in the case of change orders, progress pay tends to disproportionately impact small entities.

Olivia agreed and volunteered that this committee try to include progress pay with the change order group. Chip seconded that suggestion.

Chair Fernandes agreed, and then mentioned that Monique Martinez would be showing polls to determine times for the two workgroups to meet. There were technical issues with the poll, so meeting participants were asked to put their responses in the chat. Chair Fernandes said that they'd follow up with those who were not in attendance to get their input as well.

Chair Fernandes asked if any committee members would like to join the survey design and report drafting group, which will be responsible for pulling together workgroup findings for reportage. Aleanna and Jerry Vanderwood volunteered to join.

The next meeting for the whole committee is on January 15, and the workgroups will need to meet before then. The hope was that the workgroups could discuss some ideas for what the eventual legislation would look like and put together questions about the legislation that's already in place. In February, Chair Fernandes said she hoped the groups would be able to determine best practices and think of some survey questions to send to stakeholders. The survey would run from February through March, and then the group could process and discuss the findings in April. From there, they would discuss what could be done to improve the legislation. The survey would be finalized in July, the report would be shown to CPARB in October, and then they would decide whether to push it forward into

legislation. Chair Fernandes asked the group for their thoughts on that schedule and the committee voiced their support.

Chair Fernandes also added that these committees could end up taking less time, if they're able to move efficiently, and that the workgroups could be finished as early as April. Co-Chair Kuruvilla caveated that the committee should still move diligently particularly with regard to the surveys. It's important to ensure they receive enough responses, and it was suggested to potentially not use a second or third survey to maximize responses received for the first, and most important, survey. The second survey that was used last time was rushed. If this committee wanted to include another one, they should allow for enough time for the group to craft an effective survey.

Chair Fernandes said that she'd draft the plan with one survey but hold space for an optional second survey if necessary. In the absence of a second survey, this committee will still conduct a robust stakeholdering process. The AGC, the Association of Cities and the Port Association will be targets for stakeholdering.

BE/DBI Membership Revisions

It was pointed out that Keith Michel had missed the last few meetings. It will be important to check in with Keith to make sure he's able to make meetings, otherwise he's hurting the quorum. Additionally, it was noted that Cheryl Stewart from AGC would no longer be able to participate in the committee and Jerry Vanderwood will be attending as a proxy until she is removed from the committee officially.

If Keith is unable to attend, this committee has three contractor representatives: Chip, Stephanie and Jerry in place of Cheryl. If they end up pulling Keith's seat, this committee can go to CPARB, who will then vote on whether or not that seat continues or does not continue.

Aleanna suggested adding Reasa Pearson from Labor & Industries (LNI) to the workgroups. Reasa has been providing valuable insight elsewhere and would be worth bringing in.

The meeting was adjourned at 2:30 p.m.

Next Meeting Agenda

- Welcome & Introductions
- Review & Approve Agenda and Minutes from 12/18/2024
- Review project plan
- BE/DBI Committee membership revisions
- Next Meeting Agenda
- Adjourn

Action Items

1. Chair Fernandes and Monique Martinez will work to get the workgroup meetings scheduled and sent out to members.
2. Chair Fernandes will send out a copy of the project plan for the committee to review.