

**Capital Projects Advisory Review Board
Code Review Subcommittee
Functional Conference Room, Kilroy Building, Sea Tac
October 25, 2006, 8:30 am – 3:00 pm
Membership List/Sign In Sheet**

Initial if

Present	Name	Organization	Phone	e-mail
<i>Attendees</i>				
	Rodney Eng	City of Seattle	206-684-8241	rodney.eng.@seattle.gov
	Dan Absher	Absher Construction	253-845-9544	dra@abshernw.com
	Ed Kommers	Mechanical Contractors	206-612-7304	ekommers@comcast.net
	Nancy Deakins	General Administration	360-902-8161	deakink@dshs.wa.gov
	Diane Smith	Senate Gov Ops	360-786-7410	Smith.diane@leg.wa.gov
	Marsha Reilly	House of Reps	360-786-7135	Reilly.marsha@leg.wa.gov
	Larry Stevens	MCA/NECA	253-212-1536	lwestevens@wwdb.org
	Julie Murray	WA Assn of Counties	360-481-3236	jmurray@wacounties.org
	Syd Locke	GA	360-902-7941	kellysj@dshs.wa.gov

Meeting Notes:

The meeting started at 8:45 and Mr. Eng stated that he would like this subcommittee to come to consensus on language changes. In a case where that was not possible, Mr. Eng hoped the subcommittee could present CPARB with two versions of potential changes. The subcommittee would not attempt to make policy changes but instead “clean-up” the language of the draft bill so it is consistent and clear.

The subcommittee worked from the Code Reviser’s bill draft S-0075.2/07 2nd Rough Draft as their base document. The subcommittee also consulted three separate marked-up copies of the 1st Rough Draft of the bill (with comments and suggested changes) from Mr. Eng, Mr. Kommers, and Mr. Dick Goldsmith respectively.

In Section 101 (5), page 2, line 35, “Guaranteed contract cost” was changed to “Total contract cost” and “includes” was changed to “means”. “Guaranteed” was not deemed an accurate term. Also “and” was inserted after “cost” in line 37. In addition, “and sales tax” was deleted on line 38 with the reasoning being that they did not want to have a tax upon a tax.

In Section 101 (6) page 3, line 3, “to be guaranteed by the firm” was deleted.

In Section 101 (7) page 3, lines 10-11, “between a public body or any school district and a registered or licensed contractor” was deemed unnecessary and deleted.

Larry Stevens and Ed Kommers mentioned that the legislature might be changing the definition of “general contractor” in the upcoming session.

In Section 102 (1) page 4, line 22, “review” was deleted. On line 26 “alternative” was deleted. Thus CPARB would be CPAB to distinguish it from the (Alternative Public Works) Project Review Board created in Section 104. There was also discussion of the “separation of powers” issue regarding the two boards and the governor’s office.

In Section 102 (2) (a), page 4, line 28, “One” is deleted and “Two” is inserted. It reads: The board shall consist of the following members appointed by the governor: **Two** representatives from construction general contracting. *(The general recommendation of the subcommittee is to add another member from the general contractor community and two at-large members from the private sector to balance the three additional members from the public sector.)*

In Section 102 (2) (c), page 5, line 10, “the Association of Washington” was added to delineate that the Association of Washington Public Hospital Districts would select the person to represent the public hospital districts.

In Section 103, (concerning CPARB’s powers and duties) subsections (1), (2), and (7) were deleted. Subsections (5) and (6) will be re-written because they potentially are a function of the Project Review Board.

Section 103, (4) was changed to read: Evaluate the potential use of future and existing contracting procedures.

(The simplified language in Section 103 clarifies CPARB’s powers and duties.)

Section 104, the Project Review “Committee” was changed to “Board”. *(The governor makes appointments to boards and commissions, so the word committee was problematic.)*

In Section 104, (2) was amended to guarantee *balanced* representation between industries and public owners.

Section 107 was moved to the Design-Build section of the bill.

Section 108 (Local Authorization) was deleted.

In Section 202, (a), (b), and (d) were deleted. Subsection (g) was amended to: Submission of project information as required by the Board. (This replaces the “completion of questionnaires...”)

In Section 303 (4), was amended to read: ...estimated MACC and the fixed amount for general conditions work *specified in the RFP*.

In Section 304 (1) and (4) “guaranteed” contract cost was changed to “total” contract cost.

Section 304 (3) was amended to read: “The public body may, at its option, authorize the general contractor/construction manager to proceed with the bidding and award of bid packages before receipt of complete plans and specifications. Any contracts awarded *under this subsection* shall be incorporated in the *negotiated total maximum allowable construction cost*.”

Section 306 (9), “in accordance with RCW 39.10.080 was deleted.

In other discussions, MACC definitions from Mr. Absher and Ms. Deakins were considered by the subcommittee. *The subcommittee’s MACC definition: the projected maximum cost of the work to construct the project, including a percentage for risk contingency, negotiated support services, and approved change orders.*

The next meeting was scheduled for October 31, 9:00 am – 12:00 pm in Tacoma. Mr. Absher would reserve a meeting place and get back to the subcommittee.

The meeting adjourned at 3:00 pm.