



**General Administration**  
STATE OF WASHINGTON

# **Recent Public Works Legislation CPARB Update**

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**Engineering & Architectural Services**

# Recent Public Works Legislation

**4 RCW 39.10**

**4 Responsibility Criteria**

**4 The 2008 Bill**

# RCW 39.10

## 4 Project Review Committee

- 4 Opens APW to all public agencies
- 4 Certifies public bodies
- 4 Provides specific project approval

## 4 GC/CM Changes

- 4 Setting the MACC
- 4 Timing of bid packs
- 4 \$10 million threshold removed

# RCW 39.10 (cont.)

## 4 Design-Build Changes

- 4 Streamlined selection
- 4 \$10 million threshold remains

## 4 Job Order Contract Changes

- 4 Increased work order limits
- 4 Increased annual \$ limit
- 4 GA authorized for 4 contracts

# Responsibility Criteria

4 RCW 39.04.010, 39.04.155,  
39.04.350, 39.06.020

4 Guidelines are available

4 Mandatory Criteria

4 Supplemental Criteria

4 Subcontractors are included

4 <http://www.ga.wa.gov/cparb/BidderResponsibilityGuidelines.doc>

# The 2008 Bill

## 4 HB 2780 - Intended to make adjustments and improvements

- 4 Design-Build demonstration projects
- 4 Two Design-Build-Operate-Maintain demonstration projects
- 4 Clarify procedures for certifying public bodies

## 4 The bill did not survive the session.

# CPARB Overview

- 4 New Members
- 4 New Chair
- 4 Strategic Planning
- 4 Project Review Committee
- 4 Data Collection

# CPARB Members

<i>Member</i>	<i>Representing</i>	<i>Member</i>	<i>Representing</i>
Daniel Absher	General Contractors	John Lynch	General Administration
Vince Campanella	General Contractors	Larry Byers	Insurance/Surety Industry
Gerald "Butch" Reifert	Architects	Rodney Eng	Cities
Vacant	Engineers	Vacant	Counties
Rocky Sharp	Specialty Contractors	Robert Maruska (Chair)	Ports
Ed Kommers	Specialty Contractors	Richard Goldsmith	Public Hospital Districts
David D. Johnson	Construction Trades Labor	Dan Vaught	
Pete Crowe	Construction Trades Labor	Rep. Kathy Haigh (Vice Chair)	House of Representatives (D)
Cynthia Cooper	OMWBE	Rep. Dan Kristiansen	House of Representatives (R)
John Ahlers	Private Industry	Sen. Rodney Tom	Senate (D)
Christopher Hirst	Private Industry	Sen. Dale Brandland	Senate (R)
Olivia Yang	Higher Education	TOTAL = 23 Members, 19 Voting, 10 Quorum	





# The CPARB Plan

## 4 July 10

- 4 Owner Issues
- 4 Subcontractor Issues

## 4 August 14

- 4 Contractor Issues
- 4 Labor Issues
- 4 Clean Up Legislation

## 4 Other Issues

# Subcontractor Issues

## Discussed July 10

1. Prevailing Wage on Public/Private Partnerships
2. Include Housing Authorities in Alternative Public Works
3. Modify definition of “modular” in design build

# Owner Issues

## Discussed July 10

1. Negotiate with Low Bidder on lump sum bids  
39.04.015
2. Increase Small Works Roster Limits
3. Best Value Contracting/Competitive  
Negotiation
4. Increase Bid Limits/Day Labor (public body  
self-performed work)

# Contractor Issues

## Discuss August 14

1. Refine notice provisions (MMJ)
2. Pay undisputed claims promptly
3. GC/CM sub-bid packages / collective bargaining
4. Revise lien statute re: Trust and Benefit Payments

# Labor Issues

## Discuss August 14

1. Fair Competition for Washington Contractors
2. Expand Subcontractor Bid Listing
3. Apprenticeship Utilization

# Legislation Clean Up Issues

## Discuss August 14

1. HB 2780
2. RCW 39.10.420 Job order procedure:  
Renovation vs. New Construction
3. RCW 39.10.360 Requiring Public Bid  
Openings for GC/CM
4. Out-of-date Retainage & Prompt Pay Statutes  
(RCW 39.76 and 60.28)

# Other Issues

## Not prioritized or scheduled

1. Job Order Contracting
2. Revise design build procurement process
3. Clarify bid listing requirements \$1M threshold and 2<sup>nd</sup> tier
4. Revise definition of total contract cost to include “pre-con services”
5. Trench excavation on bid form

# Project Review Committee

## 4 Public Body Certifications (3 years)

4 UW and WSU – GC/CM only

4 GA and City of Seattle – GC/CM and DB

## 4 Project Applications

4 3 DB projects approved

4 11 GC/CM projects approved

4 4 GC/CM projects disapproved (3 of which revised, reapplied & were approved)



# Data Collection

- 4 Web-based system hosted by GA**
- 4 GC/CM and DB Projects**
  - 4 Approved by Project Review Committee
  - 4 Done by Certified Public Bodies
- 4 All GC/CM, DB, and Design Bid Build projects completed since June 2006**
- 4 Public Bodies w/ Job Order Contracts**

# Questions?

## Contact:

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