

Draft 4/21/20

Proposed Revision for Reauthorization Committee Consideration

RCW 39.10.220

Board—Membership—Vacancies.

(1) The board is created in the department of enterprise services to provide an evaluation of public capital projects construction processes, including the impact of contracting methods on project outcomes, and to advise the legislature on policies related to public works delivery methods.

(2) Members of the board are appointed as follows:

(a) Two representatives from construction general contracting; one representative from the architectural profession; one representative from the engineering profession; two representatives from construction specialty subcontracting; two representatives from construction trades labor organizations; one representative from the office of minority and women's business enterprises; one representative from a higher education institution; one representative from the department of enterprise services; one individual representing Washington cities; one representative from construction management; two representatives from private industry; and one representative of a domestic insurer authorized to write surety bonds for contractors in Washington state, each appointed by the governor. All appointed members must be knowledgeable about public works contracting procedures. If a vacancy occurs, the governor shall fill the vacancy for the unexpired term;

(b) One member representing counties, selected by the Washington state association of counties;

(c) One member representing public ports, selected by the Washington public ports association;

(d) One member representing public hospital districts, selected by the association of Washington public hospital districts;

(e) One member representing school districts, selected by the Washington state school directors' association;

(f) One member representing Public Transit selected by the Washington State Transit Association and

(f) Two members of the house of representatives, one from each major caucus, appointed by the speaker of the house of representatives, and two members of the senate, one from each major caucus, appointed by the president of the senate. Legislative members are nonvoting.

(3) Members selected under subsection (2)(a) of this section shall serve for terms of four years, with the terms expiring on June 30th on the fourth year of the term.

(4) The board chair is selected from among the appointed members by the majority vote of the voting members.

(5) Legislative members of the board shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members of the board, project review committee members, and committee chairs shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(6) Vacancies are filled in the same manner as appointed. Members of the board may be removed for malfeasance or misfeasance in office, upon specific written charges by the

governor, under chapter 34.05 RCW. If a suitable candidate is not available for a position the governor may select a similarly qualified candidate.^[HH1]

(7) The board shall meet as often as necessary.

(8) Board members are expected to consistently attend board meetings. The chair of the board may ask the governor to remove any member who misses more than two meetings in any calendar year without cause.

(9) The department of enterprise services shall provide staff support as may be required for the proper discharge of the function of the board.

(10) The board may establish committees as it desires and may invite nonmembers of the board to serve as committee members.

(11) The board shall encourage participation from persons and entities not represented on the board.

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Justification for Revision:

1. Public Transit is one of the largest construction sectors in Washington and is utilizing alternative public works methods; adding a public transit position ensures that important sector of the market is represented in CPARB business
2. Construction Management (CM) is an integral function in public capital projects construction processes. CM's are employed by both owners and private firms and often lead the analysis and determination of project delivery methods. CM's typically serve in project leadership positions where they develop expertise in alternative project delivery that would benefit the CPARB's legislative policy mission.

The CM profession is able to provide resources to fill the position.

- a. CM's have a strong track record of participation in CPARB affairs:
 - i. Three of the PRC positions are designated for CM's and the positions have always been filled.
 - ii. Usually PRC CM position openings attract multiple candidates (currently five candidates for two open positions).
 - iii. Two of the last six PRC chairs have been CM's.
- b. The Construction Management Association of America represents CMs and has the resources to support adding a CM position to CPARB:
 - i. CMAA has a membership of over 400 in the State of Washington, over 130 of whom are Certified Construction Managers. (Note: there are hundreds of additional CM's in Washington who are not currently included in the CMAA membership numbers.)
 - ii. CMAA membership includes individuals employed by both owners and private firms (private is generally a higher percentage).
 - iii. The CMAA Pacific Northwest Chapter supports the addition of a CM position and has pledged to work with CPARB and the Governor to provide qualified individual candidates for a CPARB CMAA position.

3. Additional considerations:
 - a. Language has been added to clarify that for positions that cannot be filled similarly qualified individuals can be appointed
 - b. Adding both Public Transit and CM positions retains the balance between Private and Public Sectors in CPARB membership.