

### Legislature authorized alternative public works contracting procedures and established governing bodies

Chapter 39.10 RCW allows public entities, such as state agencies or local governments, to use alternative procedures for awarding public works contracts. The same law establishes two oversight groups and their responsibilities:

- The Capital Projects Advisory Review Board (CPARB) provides guidance and standards for alternative contracting procedures.
- The Project Review Committee (PRC, a subgroup of CPARB) reviews and approves requests from public entities to use the procedures.



### Alternative procedures allow public entities to award construction contracts based on experience and qualifications rather than price

In a traditional contracting process, public entities design a project and then award a construction contract to the lowest responsible bidder. Alternative public works contracting procedures allow public entities to select contractors in other ways. For example, entities may select contractors during the design phase in order to improve quality or expedite construction. Entities also may award a single contract for multiple construction services based on negotiated unit prices.

### Chapter 39.10 RCW is scheduled to sunset in 2021

The entire chapter is subject to the Sunset Act (RCW 43.131). All provisions—including the alternative public works contracting options, CPARB, and the Project Review Committee—will automatically terminate in 2021 unless the Legislature reauthorizes them. The Sunset Act directs JLARC to complete a review in the year before the termination date. This is the second sunset review of the alternative public works statutes. JLARC completed the [previous review](#) in 2013.

### This sunset review will address the following questions:

1. How have CPARB and the PRC implemented statutory provisions and the recommendations from JLARC's 2013 report?
2. When approving public entities for alternative public works contracting procedures, what does PRC evaluate to ensure projects are efficient and economical with adequate cost controls in place? How does PRC ensure that public entities implement and administer the procedures consistently?
3. To what extent do alternative public works contracting procedures help public entities meet their goals and targets?
4. How common are alternative public works contracting procedures?
5. How would the possible termination of CPARB, PRC, or the alternative procedures affect public works contracting?

### Study Timeframe

Preliminary Report: September 2020

Proposed Final Report: December 2020

### Study Team

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JLARC Study Process

