

# Alternative Public Works Contracting Procedures Sunset Review

2020 JLARC STUDY

RCW 39.10 will sunset on June 30, 2021 unless the Legislature reauthorizes it. The Sunset Act requires JLARC to review programs in the year before their expiration date.

## Alternative contracting methods allow public bodies to select contractors based on qualifications and price factors

**Design-build:** One entity designs and builds the project.

**Job Order Contracting (JOC):** One contract is awarded to perform multiple small projects.

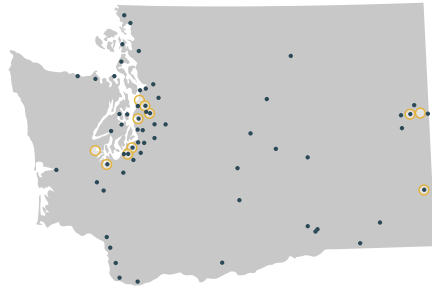
**General Contractor/Construction Manager (GC/CM):** The contractor is selected early to assist in the design of the project.

### Alternative methods are an accepted practice nationally

Alternative contracting is used by all 50 states and the federal government.

## The Project Review Committee (PRC) uses a thorough process to approve projects and certify public bodies

Created by RCW 39.10, the PRC makes decisions on public bodies' applications to use design-build and GC/CM.



Public bodies report using or planning to use alternative contracting methods on at least **\$2 billion in projects a year.**

- Certified Public Bodies
- Project Approval Locations

*There may be multiple projects per data point.*

## Stakeholders and experts report advantages to using alternative methods



Contractors can improve the design of the project.



There are typically fewer conflicts and/or change orders.



The public body, architect, and contractor have greater opportunities to build relationships and work as a team.

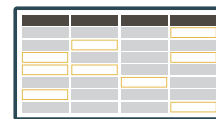
Some individuals reported limitations to the alternative delivery methods that potentially could be addressed through statutory changes or by following best practices.

## The Capital Projects Advisory Review Board (CPARB) has worked to improve public works contracting

CPARB has:

- Engaged stakeholders.
- Conducted studies.
- Recommended policy changes to the Legislature.
- Developed best practices guidelines, and appointed experienced members to the PRC.
- Acted on 2 of 3 prior JLARC recommendations.

## There have been some gaps in data collection



JLARC staff identified some gaps in data collection for JOC and some of the

statutory reporting requirements may not align with CPARB's primary duties or interests.

## LEGISLATIVE AUDITOR'S RECOMMENDATIONS

1. The Legislature should continue the alternative contracting methods in RCW 39.10.
2. CPARB should evaluate which JOC data it needs to perform its functions and propose appropriate modifications to the Legislature.

The complete report is on the JLARC web site: [www.leg.wa.gov/jlarc](http://www.leg.wa.gov/jlarc)

For more information, contact: Keenan Konopaski, Washington State Legislative Auditor  
[keenan.konopaski@leg.wa.gov](mailto:keenan.konopaski@leg.wa.gov) • (360) 786-5187

Follow us on Twitter  
[@WaLegAuditor](https://twitter.com/WaLegAuditor)  
September 2020