

# **PUBLIC WORKS CONTRACT ARBITRATION (PWCA) COMMITTEE MINUTES**

**June 14, 2011**

The meeting was called to order by chairperson John Messner representing the construction industry. Other voting members present were Diane Miller and Charles Fletcher, representing the construction industry; Jim Peddy and Richard Sanchez (alternate), representing the Department of Water Resources (DWR), Mark Leja, representing the Department of Transportation (Caltrans), and Nik Karlsson, representing Department of General Services (DGS). Others present included Bruce Kaminski and Steve Cohen, from the DWR, Stephen Cameron, Caltrans; Dan Rios, DGS; Stephanie Alamo-Latif, Program Administrator, Office of Administrative Hearings (OAH), and Phoenix Vigil, (OAH).

## **1. SENATE RESOLUTION PRESENTATION**

Mark Leja presented the Senate Resolution to Matthew B. Tim McGowan on behalf of PWCA Committee.

## **2. MINUTES OF THE FEBRUARY 8, 2011 MEETING**

The draft minutes of the February 8, 2011 meeting were adopted.

## **3. ADMINISTRATOR'S REPORT**

The Administrator reported on the status of the program.

### *Program Summary*

23 cases were filed in 2010. At the time of the meeting, 10 new cases had been filed for year 2011. There are around 60 open and active cases. There is no backlog and cases are up to date. Arbitrator Robert E. Proaps Jr. unfortunately has passed and is no longer on the arbitrator panel. There are currently around 60 arbitrators on the panel.

## **4. REGULATION REVISIONS**

Sub-Committee's report: Jim Peddy, Bruce Kaminski and Steve Cohen presented the work accomplished to date on the list of issues.

The Committee tentatively approved the revisions to sections 1321 and 1322. The Committee requested a completed package of proposed amendments for review and approval at the next meeting in October 2011.

**5. DRAFT COMPLAINT FORM**

Sub-Committee's report: Steve Cameron presented the work accomplished to date on the draft complaint form.

The Committee tentatively approved the complaint form, subject to additional minor changes by the sub-committee.

**6. REVIEW OF ARBITRATOR APPLICATIONS**

No new arbitrator applications were certified to the arbitrator panel.

**7. OUTREACH**

The committee will consider outreach possibilities for new applicants to the panel at the next meeting. Arbitrator Administrator will research outreach through AGC, JAMS, AAA.

**8. SCHEDULING OF NEXT MEETING**

The next meeting is tentatively scheduled for October 11, 2011.