

PUBLIC WORKS CONTRACT ARBITRATION (PWCA) COMMITTEE MINUTES

October 11, 2011

The meeting was called to order by co-chairperson Mark Leja, representing Department of Transportation. Other voting members present were Diane Miller and Charles Fletcher, John Messner representing the construction industry; Jim Peddy and Richard Sanchez (alternate), representing the Department of Water Resources (DWR). Others present included Bruce Kaminski, from the DWR; Dan Rios, DGS; Don Struckmann, Department of Corrections; and Stephanie Alamo-Latif, Program Administrator, Office of Administrative Hearings (OAH), and Cara Padilla, Office of Administrative Hearings (OAH).

1. MINUTES OF THE JUNE 14, 2011 MEETING

The draft minutes of the June 14, 2011 meeting were adopted.

2. ADMINISTRATOR'S REPORT

The Administrator reported on the status of the program.

Program Summary

There are currently 61 active cases. There is no backlog. Cases are up to date.

Accounting summary – the OAH lost \$33,000 from administering the PWCA program in fiscal year 10/11.

Proposed Filing Fee Increase: The committee requested a filing fee increase analysis.

4. REGULATION REVISIONS

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

The Committee approved proposed revisions to sections 1305, 1350, 1356 and 1393. The Committee previously approved sections 1360, 1321 and 1322.

The Committee decided to send the rest of the proposed revision sections back to the sub-committee for further review and consideration. The Committee would like to make a final ruling on all of the proposed amendments as a complete package at the next meeting.

5. DRAFT COMPLAINT FORM

The Committee approved the complaint form. The complaint form is optional and has been added to the OAH website.

The summons and proof of service has yet to be approved.

6. REVIEW OF ARBITRATOR APPLICATIONS

Leonard Levy was approved to the arbitration panel.

7. NEW BUSINESS/PUBLIC COMMENT

John Messner will chair the next meeting.

8. SCHEDULING OF NEXT MEETING

The next meeting is tentatively scheduled for February 21, 2012.