

November 26, 2008

Robert Maruska, Chairperson  
Department of General Administration  
Capital Projects Advisory Review Board  
GA/DSHS Team  
P.O. Box 41000  
Olympia, WA 98504-1000

Re: Discussions with Housing Authorities and the Request for Attorney General's Opinion

Dear Mr. Maruska: *Bob*

I am writing to you on behalf of the Association of Washington Housing Authorities (AWHA). As you know, members of AWHA and representatives of the Capital Projects Advisory Review Board (CPARB) have been discussing whether the CPARB rules governing alternative procurement methods apply to public housing authorities (PHAs). This issue arose from some specific PHA projects that came to CPARB's attention. On September 2<sup>nd</sup>, Michael Mirra of the Tacoma Housing Authority, and I, had the pleasure of meeting with Ed Kommers and John Lynch of CPARB to exchange views on the matter. That meeting was quite helpful. I believe it allowed all of us to appreciate that it is not a simple matter and that we have more to learn.

In our meeting, we outlined how AHWA and CPARB can further these discussions and explore possible resolutions. As I relayed to Ed and John, at its September general membership meeting, AWHA committed to such an effort. I am pleased to confirm AHWA's commitment as follows:

- Through its representatives, AHWA is ready to participate in discussions with CPARB in between now and the 2010 legislative session. I believe Ed and John referred to a "task force" that CPARB would convene for the purpose of resolving the question of whether the CPARB rules should govern PHAs, and if so, in what manner. If we reach resolution and it requires legislation, we look forward to presenting a joint proposal to the 2010 legislature.
- We also contemplated that neither CPARB nor AWHA would ask the Attorney General for an opinion on the matter. Such an opinion would only serve to oblige one or both parties to seek legislative clarification, precluding the joint effort to find an agreed upon resolution. Since our September 2<sup>nd</sup> meeting, I understand the Attorney

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*Tom Tierney, President    John Poling, Vice President*  
*Steve Gulliford, Treasurer    Perry Rowe, Secretary*

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General was asked for an opinion. It is also my understanding, however, that the request could be withdrawn if CPARB chooses to seek a mutual resolution over the coming months. If the request is withdrawn, we look forward to beginning the discussions. In the meantime, we note the Attorney General's December 8<sup>th</sup> deadline to register our intention to comment on the matter. Since CPARB will not meet prior to that date, we will inform the Attorney General of our interest in the issue and our intention to offer comments in the event the request for an opinion is not withdrawn.

I perceive a good willingness in both groups to work together, and I look forward to hearing how you propose to proceed.

Sincerely,



Thomas M. Tierney  
Executive Director  
Seattle Housing Authority  
AWHA President, 2008

cc: Searetha Kelly, General Administration  
Ed Kommers, CPARB  
John Lynch, CPARB  
Michael Mirra, AWWA  
John Poling AWWA President, 2009  
Greg Guedel, Foster Pepper  
Greg Pierce