



April 2020  
Advocacy  
Newsletter

## Inslee Announces Resumption of Low-Risk Construction

Governor Inslee **announced** an order allowing existing, low-risk construction projects to resume beginning April 24. Projects that resume must have worksite safety plans, employer-provided personal protective equipment, an on-site COVID-19 safety supervisor (for job sites with more than seven people), and implement social distancing. The order allows the resumption of all types of construction that can meet the requirements, including public construction projects currently underway. Existing non-critical SDOT and Sound Transit projects are included.

The order was issued as an **addendum** to Inslee's earlier proclamation on construction activity during the COVID crisis. The full document detailing job-site safety requirements necessary for construction projects to restart is **here**. The order came out of the work of Inslee's Construction Industry Roundtable of construction industry, labor, and health officials charged with determining the safety precautions necessary to keep construction workers, trades people, and job sites safe.

No job site may operate until the contractor can meet and maintain all requirements, including maintaining six-foot social distancing of employees and providing materials, schedules and equipment required to comply. Currently operating projects must be in compliance by May 1. Contractors will be required to post a safety plan at their job sites. The plan will not have to be submitted to the state, but it could be reviewed by regulators. Material suppliers,

as well as state and local regulators, are authorized to begin work as long as they are able to follow the safety requirements.

Separately, the governor's office has indicated that local jurisdictions may define an "existing" project as one for which a permit was issued prior to the Stay Home Stay Healthy order (March 23).

Governor Inslee did not indicate when other businesses would be able to return to work. He stated that he would be assembling similar work groups for other industries to draft safety guidelines to prepare for reopening those sectors. He stressed that "no work will resume until health experts and data determine it is safe to do so."

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## Inslee Order, cont.

There was also no mention in the plan or at Inslee's press conference announcing these changes of the impact of these changes on businesses, such as architects, who support construction. Until AIA|WA receives additional details on supporting businesses, architects should continue to work from home. If staff need to go to the office for brief, project-related tasks to support construction that has been allowed to reopen, firm leadership should insist on physical distancing and establish workplace safety measures as outlined by the WHO and CDC. If an architect is required to make a site visit, they should review the site requirements for safety and distancing provided by the contractor.

The second phase of reopening construction, which the construction work group continues to discuss, is focused on authorizing additional activities where workers may need to be closer than six feet. A third phase will address larger work sites such as transportation projects and high-rises.

## AIA Letter Asks Inslee to Include Architects in Recovery Planning

AIA's state components across the country are communicating with governors to offer architects' experience in planning, collaboration, and building and community design to assist with state recovery planning efforts. AIA|WA sent a letter to Gov. Inslee calling out the work and perspectives of architects as "a vital part of the long-term solution to designing buildings in our 'new normal'" – including specialized technical skills related to "the design of healthcare facilities, schools, and affordable housing."

AIA|WA offered its President, Stephen Black, AIA, of architecture in Gig Harbor, as a resource for participating in leadership groups advising the governor's office and connecting state resource needs to architects' skills. Read AIA|WA's letter [here](#).

## State COVID Response

Gov. Inslee has indicated that the state's economy will likely reopen in phases once state officials believe society can safely function amid ongoing health and safety concerns. On April 21, the governor announced a **three-part plan** for reopening Washington's economy that includes wide-scale statewide testing; a surge in contact tracing, where public health staff track down those who had direct contact with people who test positive for the coronavirus; resources for mental health and homelessness; and a phased-in reopening of certain businesses while continuing social distancing.

Inslee has not indicated when the stay-at-home order – currently scheduled to end on May 4, but likely to be extended in some form – might start to be rolled back. His plan would only move forward, he said, based on public health data – particularly if the number of confirmed COVID-19 cases continues to trend down over time. To successfully reopen, Inslee said the state needs to be able to conduct between 20,000 and 30,000 COVID tests; Washington is currently conducting about 4,000 tests daily because of a shortage of supplies.



State Republican legislative leaders released **their own plan** for reopening the economy. Their proposal does not set public health benchmarks, but it does highlight some lower-risk industries, including residential construction, that could open back up soon.

On April 13, Inslee and his counterparts in California and Oregon **announced** a "regional pact to recovery" from the coronavirus crisis and agreed to work together to develop a plan to lift restrictions on daily life and reopen economies along the West Coast.

# Small Business Loans & Grants



The federal [Paycheck Protection Program](#) and [Economic Injury Disaster Loan Emergency Advance](#) programs were provided a second round of funding by Congress and will reopen to banks and lenders on April 27. This new round of funding includes \$310 billion in additional funds for the Paycheck Projection Program and \$60 billion in emergency disaster loans and grants.

For those who have not applied to either Small Business Administration (SBA) program but want to, AIA recommends that you submit your application as soon as possible. More information about applying for these grants is available [here](#).

Ronnie Henderson of Homestreet Bank in Seattle, offers these tips on securing COVID-related funding:

1. If you have already applied, reach out to your bank and inquire about your application. Most banks have continued to process files in anticipation of the next round of funds being released. Make sure that everything is correct and in place so you remain in the queue.
2. If you have not yet applied, or do not before this round runs out of funds, do so. Even though it is likely that this round will also run out quickly, in the event of another release of funds, you will be ready.
3. Work with your current bank. Though banks have not been given any policies and procedures for this program, they will only work with current clients.
4. Only apply once. If you have more than one application in process, the SBA will likely reject your request.

## AIA National's COVID Advocacy Response

AIA National has been working to empower state and local components based on the belief that the decision to reopen the government remains with the local and state officials who ordered the closures and are working in consultation with local health officials. Resources provided to components include letter templates addressing architects' role in providing disaster services and emphasizing the need for architects to sit on recovery committees. Information related to ongoing construction industry operations and their inclusion on state lists of essential services has also been shared widely by component staff members.

AIA National continues to weigh in separately with the White House and Congress on the issues impacting the

### OTHER RESOURCES

[Washington Coronavirus Response website](#)

[AIA|WA COVID list of resources](#)

architecture profession. These include AIA's strong support for the small business loans and the employee tax retention credit program in the [CARES Act](#), as well as ongoing advocacy for additional funding for those loans, support for 501(c)(6) organizations becoming eligible for recovery support, and – looking further out – a robust infrastructure package that supports the construction industry and architects' priorities.

For members, AIA has a wide array of resources for firms and individuals, available on its website [here](#).

# LEGISLATIVE NEWS

## C-PACER: What's Next?

C-PACER (Commercial Property Assessed Clean Energy & Resilience), [HB 2405](#), was enacted during the 2020 legislative session, authorizing counties to establish private financing programs for deep energy efficiency and resiliency retrofits. The bill is effective June 11, 2020, but it must be implemented by individual (or groups of) counties prior to the availability of C-PACER loans.

The bill contained funding for the state Department of Commerce to support development of C-PACER program guidebooks for counties, but that funding was vetoed as part of Gov. Inslee's budget adjustments after the onset of the COVID crisis. There is nothing to prevent counties from moving forward, however, and [Shift Zero](#) (the zero net carbon building alliance in which AIA is an active member) will be working to develop model guidelines for counties to set up C-PACER financing programs. National and local lenders have already expressed strong interest in participating in C-PACER lending programs in Washington.

Shift Zero will work with counties on an individual basis, starting with those that have indicated a desire to get started right away – Spokane and Whatcom – and continuing with others who have expressed strong interest, including King, Snohomish, Thurston, and Clark. King County supported the legislation and expects to move C-PACER legislation through its county council in 2021.

For more information on C-PACER and the implementation process, please review [Shift Zero's FAQ document](#).

## LINE-ITEM VETOS

In an effort to get a jump-start on budget cutting as a result of ongoing COVID spending, Gov. Inslee line-item vetoed 147 programs when he signed the state supplemental operating budget in April. From AIA|WA's perspective, these cuts largely hit programs related to climate change, including the C-PACER funding for the State Dept. of Commerce to work on guidance for county PACE programs and the elimination of \$50 million that had been set aside for state agencies to pursue projects to mitigate climate change.

## Clean Buildings Act Implementation



AIA|WA's Climate Committee has been participating in the Dept. of Commerce's implementation process for the 2019 Clean Buildings Act passed by the legislature. The legislation requires Commerce to develop and implement an energy performance standard for large commercial buildings (> 50,000 sq. ft.) and provide incentives to encourage efficiency improvements. Stakeholders, including AIA|WA, are being asked to comment on specific sections of the work in an ongoing series of workshops and calls for feedback.

AIA|WA's Climate Committee is currently commenting on draft language regarding target EUIs, required energy audits for existing buildings, and evaluation methods for implementation strategies. The final rules must be published by Nov. 1, 2020. Info about the program and upcoming Dept. of Commerce workshops is [here](#).



### Firm Contacts: Sustainability

AIA|WA is developing a list of sustainability contacts at firms across the state. We'll use this to make sure your firm is aware of and can respond to developing issues related to climate change and the built environment. To submit your contact information, please contact [Kirsten](#).

# LEGISLATIVE NEWS

## Legislative Interim Period

Once the whirlwind of the legislative session calms down each spring, AIA|WA looks to the following year's legislative session and begins to think about AIA's agenda for the coming year. Two key issues that remain unfinished from the 2020 session are embodied carbon and policies addressing professional licensing. We'll work on these over the summer and fall, including meeting with key legislators in their districts (if we can), preparing talking points, and coordinating with allies. If you have thoughts about these or other agenda items for 2021, please let us know!

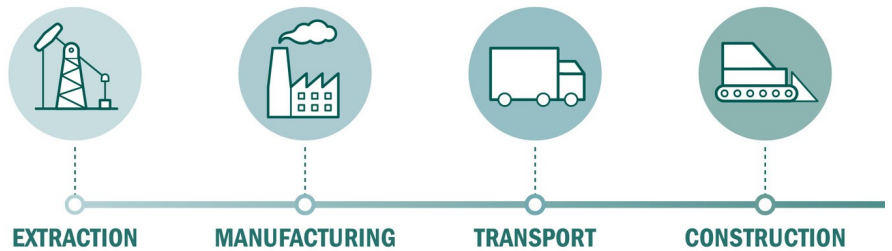
### EMBODIED CARBON

Legislation to identify the embodied carbon represented in building materials will become a top AIA priority in 2021 after the passage of C-PACER this year. The 2020 embodied carbon bill, **HB 2744**, would have required bidders for projects funded by the state's capital budget to identify the embodied carbon emissions in construction materials used in each project through environmental product declarations. The bill failed to pass even though the final version was amended to be report-only, removing requirements that certain state contracts be awarded (or considered to be awarded) to those with lower global warming potential.

(A 2018 embodied carbon bill passed as a study-only bill – Kate Simonen, AIA, and her team at the University of Washington's Carbon Leadership Forum conducted the

Buy Clean Washington study on behalf of the state. There was no bill in 2019 as this study had not yet been completed.)

The 2020 legislation was a complicated bill with many opponents, largely among trade groups representing individual building materials and the construction industry. It was ultimately killed by 1) the addition of labor language that mandated specific labor practices for companies producing materials (including foreign companies); and 2) the burden of a high fiscal note (the information agencies provide on how much it will cost them to comply with the legislation) – which means legislators felt the bill was too expensive and complicated for the state to enact.



Discussions have already begun among stakeholders on a new embodied carbon bill for next year, and these will continue throughout the summer and fall in addition to meetings with legislators to educate them on this issue. The bill will need a new legislative champion as the sponsor of the previous bills, Rep. Beth Doglio (D-Olympia), is not running for reelection in order to run for Congress. We expect the architect member of the legislature, Rep. Davina Duerr (D-Bothell), to carry the bill.

### PROFESSIONAL LICENSING

AIA|WA did not expect to see legislation attacking professional licensing in Olympia this year, so we were shocked when ten separate bills were introduced on the topic. The goal of most of them was not deregulation (which is common in other states), but to make it easier for individuals entering Washington with a professional license to become licensed and be able to work quickly here.



Because architects are licensed by the Department of Licensing and not an independent board (the Board of Architects is considered an "advisory body"), architects' licenses got caught up in bills aimed at providing immediate reciprocal licensing for a list of professions including funeral directors, cosmetologists, real estate brokers, and security guards – occupations with a much different level of responsibility for protecting the public.

## PROFESSIONAL LICENSING, cont.

AIA|WA plans to meet with authors of the 2020 bills – none of which passed – over the summer and fall to educate them about the public safety focus of the architect license and the ways in which the licensing of our profession differs from other occupations administered by the Department of Licensing. We'll also meet with legislators on key committees with jurisdiction over this issue.

AIA|WA was able to get some of the bills this year amended to include language limiting their application to license-holders "unable to engage in the practice of the profession through an interstate compact, reciprocity, or similar agreement" – which meant that architect licenses would have been exempted based on the NCARB reciprocity agreement – but we would like that language to be included from the start next year.

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## OPPORTUNITIES

### 2020 Civic Design Awards

AIA|WA is pleased to announce that we will begin accepting submittals for the 2020 Civic Design Awards beginning May 15, 2020. Please check our [website](#) in the next couple of weeks for submittal requirements and information.

### Regional Representative to the AIA Strategic Council

The Northwest and Pacific Region of the AIA is seeking nominations for its regional representative to the AIA Strategic Council for 2021-2023. The Strategic Council is tasked with "ideation, research, and generative, thought-based activities." Representatives have the opportunity to be more involved in the AIA, to represent our region in national discussions, and to be part of committees and work groups that study relevant issues and current concerns.

For more information about the position and how to apply, including how to contact the current regional representatives if you have questions, click [here](#). Nominations are due by the end of the day May 18, 2020.

### Free AIAU courses for AIA members

To help you navigate these uncertain times, AIA is making some of AIAU's best business and tech courses available to AIA members for free. Learn valuable skills about virtual practice, successful business strategies, risk management, and more from some of the most innovative architects, firms, and design professionals. More info [here](#).

## LEGISLATIVE & STATEWIDE ELECTIONS

2020 is an election year and you will start hearing from candidates from your district if you haven't already. All statewide elected officials, all state house members, and 25 of 49 state senators are up for election. You can see which offices are up for election [here](#), although this list includes only the current occupant for each seat, not necessarily the candidates who are actually running.

The primary election is August 4 and the general election is November 3. The deadline for candidates to file is May 15.

If you know or are interested in any of the candidates who are running in your district, consider attending a campaign event to talk about the issues that are important to you. These events are often small, always accessible, and they provide an opportunity for more one-on-one time with the official.

# EVENTS

AIA Seattle presents **Cracking Code: Commercial Energy Code Updates** | Live Webinar | April 29 | 4 learning units. 10% discount to non-Seattle members; use this code: [NWWA20](#).

## AIA Southwest Washington

- Annual Golf Tournament scheduled for June 19 has been rescheduled to August 7 at Links at Hawks Prairie.

## AIA Spokane

- Design Awards postponed from April 28 to late summer or fall
- Golf Tournament scheduled for Sept. 10 at Qualchan Golf Course

Missed our 2020 legislative wrap-up report?  
Read it [here](#).



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The AIA Washington Council serves as the collective voice for and a resource on state government policies that impact the practice of architecture for all architects and the profession through AIA components in Washington State.

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