

Operating Policies and Procedures of the Greenbook Committee  
Public Works Standards, Inc.

March 2004 Revision

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**I.**  
**CONCERNING THE FORMATION AND PURPOSES OF THE  
GREENBOOK COMMITTEE**

This Committee is known as the Greenbook Committee. It is an Administrative Committee of Public Works Standards, Inc. which was created for the following purposes:

A. To produce a new edition of the Greenbook and Greenbook Plans triennially and annual supplements between the triennial publications.

B. To promote the Greenbook and Greenbook Plans and determine the extent of their use by public agencies.

C. To evaluate proposed additions, deletions and revisions to the Standard Specifications for Public Works Construction (hereinafter "**Greenbook**") and the Standard Plans for Public Works Construction (hereinafter "**Greenbook Plans**"). Such proposals should promote uniformity, and eliminate conflicts and confusion, among the plans and specifications used by local public agencies in southern California, and should, thereby, lower construction costs by encouraging participation in competitive bidding by more private contractors. To the extent appropriate and consistent with these purposes, this Committee should consider the changing technology and advanced thinking of the construction industry.

**II.**  
**CONCERNING MEMBERSHIP AND VOTING**

**A. MEMBERSHIP AND PARTICIPATION.**

1. This Committee is composed of at least 25 members and at least 25 alternate members who are appointed by Public Works Standards, Inc. The American Public Works Association shall nominate 17 members and their 17 alternates, the Associated General Contractors of California shall nominate 6 members and their 6 alternates, the Engineering Contractors' Association and the Southern California Contractors Association shall each nominate 1 member and his/her alternate, and the Greenbook Committee may nominate other members and their alternates. At its annual meeting, Public Works Standards, Inc. will determine the number and identity of the members and alternates who will serve for the following year. Between the annual meetings, the president of Public Works Standards, Inc. shall fill any vacancies. The secretary of the Greenbook Committee shall keep on file and have present at each and every Greenbook meeting a current list of Committee members and alternates.

2. Except as otherwise provided in these operating policies and procedures, participation in the activities of this Committee shall be open to (a) all members and alternates, (b) all officers and subcommittee and task force chairs who are not otherwise members, and (c) all other persons who are interested in the work of this Committee, who make a meaningful contribution to that work, and who are representatives of public agencies, public utilities, contractor associations, or firms that serve as consultants to public agencies, public utilities or public works contractors on matters pertaining to public works construction.

## **B. VOTING**

### **1. General**

Subject to the provisions in these operating policies and procedures on conflict of interest, unless a member requests that the vote on a particular matter be limited to just the members, all participants in this Committee shall be entitled to vote on every matter considered by this Committee. When voting on a matter is limited to members, but a member is absent, then his/her alternate shall be entitled to vote.

### **2. Conflict of Interest**

Whenever a matter involves either placing a new method or material into the Greenbook or Greenbook Plans or removing a method or material, then no person who has a conflict of interest concerning that matter shall vote on that matter. A participant in the activities of this Committee who has a conflict of interest concerning a matter shall announce that he or she has a conflict of interest as soon as the matter is brought up at a meeting and shall refrain from participation in the decision making process on that matter. The name of any participant who announces a conflict of interest and the matter over which the conflict exists shall be noted in the minutes of the meeting.

a. A "conflict of interest" means it is reasonably foreseeable that the decision on the matter will have a material financial effect, distinguishable from its effect on the general public, on the person or a member of his or her immediate family, involving:

(1) Any business entity in which the person has a direct or indirect investment worth \$1,000 or more;

(2) Any real property in which the person has a direct or indirect interest worth of \$1,000 or more;

(3) Any source of income, other than gifts and loans by a commercial lending institution in the regular course of business on terms available to the public without regard to membership on this Committee or one of its subcommittees or task forces, aggregating \$250 or more in value provided to, received by or promised to the person within 12 months prior to the time when the decision is made;

(4) Any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management; or

(5) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$250 or more in value provided to, received by, or promised to the person within 12 months prior to the time when the decision is made.

An indirect investment or interest includes any investment or interest owned by the spouse or dependent child of the person, by an agent on behalf of the person, or by a business entity or trust in which the person, the person's agents, spouse or dependent children own directly, indirectly or beneficially a 10% interest or greater.

b. "Participation in the decision making process" means voting, making motions, seconding motions, or actively participating in the management of the meeting, e.g., by chairing the meeting, recording the minutes, or determining agendas or times, dates or places for consideration of the matter involved.

### 3. Proxies

If neither a member nor alternate member can participate in a meeting of this Committee, the member may appoint as a proxy any person who will fairly represent the views of the organization who nominated the member. In the case of a member who is an employee of a public agency or public utility, the proxy shall be an employee of the same agency or utility. In the case of a member who was nominated by a contractor association, the proxy shall be a member of that association. The proxy shall be appointed in writing; the writing shall be delivered to the chair of the meeting who will determine its validity.

#### C. MEMBERS NOMINATED BY THE AMERICAN PUBLIC WORKS ASSOCIATION

The members nominated by the American Public Works Association shall be employees of the following public agencies and public utilities:

PUBLIC AGENCY/PUBLIC UTILITY	NUMBER OF MEMBERS
Los Angeles County	2
Orange County	1
Riverside County	1
San Diego County	1
Santa Barbara County	1
Ventura County	1
City of Los Angeles	2
City of Glendale	1
City of Long Beach	1
City of San Diego	1
L. A. Department of Water & Power	1
The Metropolitan Water District	1
L. A. County Sanitation Districts	1
Southern California Gas Company	1
Pacific Bell	1

#### D. MEMBERS NOMINATED BY CONTRACTOR ASSOCIATIONS

The members nominated by contractor associations shall be contractors and construction industry vendors and suppliers who are interested in actively participating in, and contributing to, the work of this Committee.

#### E. MEMBERS NOMINATED BY THE GREENBOOK COMMITTEE

The members nominated by the Greenbook Committee shall be either representatives of public agencies, public utilities, contractor associations, or firms that serve as consultants to public agencies, public utilities or public works contractors on matters pertaining to public works construction. Members nominated by the Greenbook Committee must demonstrate their participation in the proceedings of the Greenbook Committee by their attendance at 5 Greenbook Committee meetings in each of the prior two years and as evidenced in the monthly meeting minutes for those prior two years.

### III. CONCERNING THE OFFICERS OF THIS COMMITTEE

#### A. THE CO-CHAIRS

1. The APWA and AGC Co-chairs are appointed by Public Works Standards, Inc., and serve until their successors are appointed.

2. The APWA Co-chair shall have general supervision of the affairs of this Committee; shall preside at meetings of this Committee; and shall appoint and remove the Secretary, the Vice Chair-Communications, the Vice Chair-Editorial, and the chairs and members of all subcommittees and task forces. The members and alternates shall be appointed to all subcommittees and task forces on which they express an interest in serving. The APWA Co-chair shall also determine all questions concerning the interpretation of these Operating Policies and Procedures. However, those decisions can be overruled by a majority of the members present and voting at any regular meeting of this Committee.

3. The AGC Co-chair shall, in the absence of the APWA Co-chair, exercise all of the powers and perform all of the duties of the APWA Co-chair.

#### B. SECRETARY

The Secretary shall take minutes at all meetings of this Committee and shall publish and disseminate the minutes to the members and alternates. The Secretary shall receive and disseminate other information, as appropriate, to the members and alternates. The Secretary shall maintain the records of this Committee, including a roster of the members and alternates. The Secretary shall perform such other duties as may be assigned by the APWA Co-chair.

#### C. VICE CHAIR-COMMUNICATIONS

##### 1. General

The Vice Chair-Communications shall conduct the necessary correspondence and publicity of this Committee, shall maintain the records of that correspondence and publicity, and shall perform such other duties as may be assigned by the APWA Co-chair. All records of this Committee maintained by the Vice Chairperson-Communications shall be made available at reasonable times and places for inspection and copying by any member or alternate.

##### 2. Proposed Changes Status Report

The Vice Chair-Communications shall maintain, and at least twice annually disseminate to the members, a record of the status of all pending and recently considered proposed changes to the Greenbook and Greenbook Plans. That record shall indicate the assigned change number, the section of the Greenbook or the number of the Greenbook Plans addressed by the proposed change, the meeting of this Committee at which the proposed change was received, the subject of the proposed change, the proponent of the proposed change, and the actions taken by the principal subcommittee, and by this Committee, on the proposed change, indicating the dates of those actions.

### **3. Publicity and Promotion**

The Vice Chair–Communications shall publicize and encourage the use of the Greenbook and Greenbook Plans by preparing and disseminating publicity for the Greenbook and Greenbook Plans. All publicity must be accurate and in good taste and should be informative while using methods and procedures which are business-like and inoffensive. The Vice Chair–Communications shall respond to inquiries from individuals and agencies seeking information or assistance on how to adopt (or the advantages of adopting) the Greenbook and Greenbook Plans, in whole or in part, with exceptions, with supplemental provisions, or as reference documents and shall conduct a user survey for each new edition of the Greenbook and Greenbook Plans to determine which agencies have adopted those publications. The results of that survey will be tabulated and reported to this Committee.

#### **D. VICE CHAIR–EDITORIAL**

1. The Vice Chair–Editorial shall ensure that each addition and supplement of the Greenbook and Greenbook Plans has a consistent format throughout and has the best possible organization, writing proficiency and technical accuracy. The Vice Chair–Editorial shall review the current edition and supplement(s) to determine how the format, organization and writing can be improved and shall be the liaison between this Committee and the publisher.

2. The Vice Chair–Editorial shall review all changes approved by this Committee to ensure that they conform to both the Rules for Editing promulgated by this Committee and accepted standards of good writing and shall not make any changes in any wording, technical data or reference to other specifications or standards, if such changes could alter the intent of the approved language. After editing, each approved change shall be submitted to the publisher and at a time proposed by the Vice Chair–Editorial and the publisher, and accepted by this Committee, the Vice Chair–Editorial shall prepare and submit to the publisher a complete edited copy of the next supplement or edition of the Greenbook and Greenbook Plans, incorporating all changes approved since the last supplement or edition. Changes to the Table of Contents and the Index will usually be made by the publisher. Prior to publication of any supplement or edition, the Vice Chair–Editorial shall review and approved the galley proofs.

3. The Vice Chair–Editorial shall perform such other duties as may be assigned by the APWA Co-chair or this Committee.

#### **E. SUCCESSION**

In the absence of both the APWA and AGC Co-chairs, the following officers, in order, shall exercise all of the powers and perform all of the duties of the APWA Co-chair: Vice Chair–Communications, Vice Chair–Editorial and Secretary.

## **IV.**

### **CONCERNING THE MEETINGS OF THIS COMMITTEE**

#### **A. TIME AND DATE**

Regular meetings of this Committee shall be held on the third Thursday of each month commencing at 9:30 a.m., except no meeting is typically held in the month of December.

#### **B. PLACE**

Regular meetings shall be held at the offices of the Los Angeles District of the Associated General Contractors of California.

#### **C. QUORUM**

Thirteen of the members shall constitute a quorum to commence business at any meeting, so long as those present include two members nominated by the American Public Works Association, one of whom is employed by a public agency and one by a public utility, and one member nominated by a contractor association. A quorum need only be established once at the beginning of any meeting; departures after a quorum has been established shall not invalidate the quorum.

#### **D. AUTOMATIC TABLING OF CERTAIN MATTERS**

1. The first time that each proposed change assigned to either of the New Materials Subcommittees is reported back to this Committee for a vote on its adoption or rejection, that matter shall automatically be tabled until the next regular meeting of this Committee. A copy of the proposed change shall be sent with the minutes of the meeting at which it is first reported back to this Committee.

2. At the request of any member, any matter then being considered by this Committee shall automatically be tabled until the next regular meeting of this Committee. No matter can be tabled under this paragraph more than once.

#### **E. ORDER OF BUSINESS**

Unless otherwise announced by the APWA Co-chair at the beginning of the meeting, the order of business at each meeting of this Committee shall be:

1. Call to order.
2. Self introductions of those present and determination of a quorum.
3. Correction, if necessary, and approval of the minutes of the previous meeting.
4. Description of correspondence and proposed changes received since the last meeting. Assignment of change numbers and referral of each proposed change to an appropriate subcommittee or task force.
5. Old business.
6. New business and reports of officers.
7. Reports of subcommittees and task forces. Action on those reports, as appropriate.
8. General discussion of matters of interest to the public works construction industry.
9. Announcement of the date of the next meeting.
10. Adjournment.

**V.**  
**CONCERNING THE EVALUATION AND CONSIDERATION  
OF PROPOSED CHANGES**

**A. SUBMISSION OF PROPOSED CHANGES**

Proposed changes to the Greenbook or Greenbook Plans will be accepted from anyone interested in improving either publication. Proposed changes must be submitted in writing. Proposed changes must conform to these Operating Policies and Procedures; if they do not they may be returned to the proponent for compliance and resubmittal.

**B. NUMBERING**

All proposed changes will be numbered consecutively as they are received and first described at a regular meeting of this Committee. No suffix will be added to the number when the proposal is directly handled by this Committee or referred to the Specifications Subcommittee. An "NU" suffix will be added to the number when the proposal is referred to the New Materials-Underground Subcommittee. An "NS" suffix will be added to the number when the proposal is referred to the New Materials-Surface Subcommittee. A "P" suffix will be added when the proposal is referred to the Greenbook Plans Subcommittee.

**C. ACKNOWLEDGMENT AND REPORT OF FINAL ACTION TO PROPONENT**

All proposed changes will be acknowledged in writing when they are received and numbered. The proponent of the proposed change will also be notified of the number assigned, the subcommittee or task force to which the change has been referred for evaluation, and the name of the chairperson of that subcommittee or task force. When this Committee has taken its final action, the proponent of the proposed change will be notified of the disposition, with a brief statement of the reasons for the disposition if the proposed change was not adopted.

**D. GENERAL REQUIREMENTS FOR ALL PROPOSED CHANGES**

Each proposed change to the Greenbook or Greenbook Plans must cover just one subject. Each proposed change shall be submitted on this Committee's "PROPOSED REVISION" form, which can be obtained from this Committee, or from any member. Each proposed change must concisely state the reasons for the change and must include the name, agency or firm, address and phone number of the proponent of the change.

**E. REQUIREMENTS FOR PROPOSED CHANGES TO THE GREENBOOK**

Each proposed change to the Greenbook must refer to all relevant existing provisions and must state the proposed new or revised specification in the language and style used in the Greenbook.

**F. SPECIAL REQUIREMENTS FOR NEW MATERIALS OR METHODS**

Proposed changes seeking to include construction methods or materials not presently covered by the Greenbook will only be evaluated and considered when they meet the following criteria:

1. The proposed change must be germane to public works construction in southern California. Methods or materials that are of such a unique or special nature

that they would only be used infrequently on, or would only have a limited application to, public works construction in southern California, will not be evaluated and considered. This Committee shall determine whether a method or material is germane to public works construction in southern California. To be considered germane, the method or material must meet at least one of the following criteria:

a. The method or material must be used by ten public agencies in the eight southern California counties that regularly use the Greenbook as part of the contract specifications on those public agencies' public works projects.

b. One public agency that has an employee who is a member of this Committee must state, in writing, that it is using or has used the method or material.

c. The method or material must be used by 35 public agencies in California, Arizona or Nevada.

d. The senior public official in charge of construction of public works (excluding private consultants who have contracts to perform the functions of public officials) in ten public agencies in the eight southern California counties that regularly use the Greenbook as part of the contract specifications on those public agencies' public works projects, must state, in writing, that his or her public agency is contemplating using the method or material and will provide personnel to serve on a task force appointed to evaluate it.

2. The proposed change must be submitted on this Committee's "PROPOSED REVISION" form and must include detailed proposed specifications in the style and language used in the Greenbook which will not cause a violation of Public Contract Code section 3400.

3. The proposed change must include copies of any available laboratory test data, testimonials, letters of acceptance by other agencies, manufacturer's specifications, and other supporting information.

4. In addition to any other proponents, the proposed change must be signed by a member or alternate of this Committee, who, by signing the "PROPOSED REVISION" form, indicates a willingness either:

a. to chair the task force which may be appointed to evaluate the proposed change, or

b. to procure a chair for that task force who is acceptable to this Committee.

5. When an on-site evaluation is to be made of a facility where a product is manufactured or a process performed, the following procedures shall apply:

a. The chair of the subcommittee or the chair of the task force that is evaluating the product or process shall appoint a review team approved by the subcommittee to conduct the on-site evaluation. The review team shall consist of the chair of the subcommittee or task force and not more than seven additional members from that subcommittee or task force. No person who has a conflict of interest concerning the proposed change shall be a member of the review team (see III.B.2, above, for the definition of conflict of interest).

b. The manufacturer whose product or process is being evaluated shall pay all expenses of the review team for travel, meals and lodging.

c. Information obtained by the review team.

(1) The manufacturer shall provide any trade secret information that the review team must have in order to evaluate the product or process. All information gathered by the review team at the on-site evaluation: (a) shall be the property of this Committee and not the property of any member nor the

employer of any member of the review team, (b) shall be deemed to be preliminary drafts, notes and memoranda, (c) shall be used only by this Committee, its subcommittees and task forces and only for the purpose of evaluating the proposed change to the Greenbook, and (d) shall not be retained after this Committee takes its final action upon the proposed change to which that information relates. However, any non-trade secret information may be disclosed to any official of a public agency which employs any member of the review team and, with the written consent of the APWA Co-chair, a copy of which is transmitted to the manufacturer before the disclosure, any information gathered may be disclosed to any official of a public agency which is contemplating using the product or process.

(2) Trade secrets.

(i) A trade secret is defined in Civil Code section 3426.1 as "information, including a formula, pattern, compilation, program, device, method, technique, or process that: (1) Derives independent economic value, actual or potential from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy." A trade secret is privileged from disclosure under Evidence Code section 1060; therefore, even when a trade secret comes into the possession of a public entity, it is exempt from disclosure under Government Code section 6254(k).

(ii) If the manufacturer contends that the review team might obtain trade secret information during the on-site evaluation, then at least 30 days prior to the commencement of the on-site evaluation, the manufacturer shall deliver to both the task force and subcommittee chairs a written description of each such trade secret that is sufficient to distinguish the trade secret information from all of the other information that the review team might gather during the on-site evaluation. A copy of the written identification of trade secrets will be transmitted with the final report on the proposed change by the task force to the subcommittee and by the subcommittee to this Committee.

(iii) No member of a review team shall be required to execute any document restricting his or her ability to disclose what is seen in the on-site evaluation. However, by accepting membership on a review team, each member of that team agrees to take reasonable steps to protect every trade secret identified in writing prior to the on-site evaluation from disclosure to any person who is not a participant in the activities of this Committee and to any participant in those activities who has a conflict of interest concerning the proposed change.

(iv) When this Committee determines that the trade secret information is no longer needed for the purposes of this Committee then the Committee shall decide whether to return the trade secret information to the manufacturer or destroy it.

d. One member of the review team, who shall be designated by the chair of the subcommittee or task force, shall take pictures of the significant aspects of what is shown to the team during the on-site evaluation. Those pictures and any negatives shall be part of the information obtained by the review team and shall be governed by the provisions herein.

e. At least 30 days before the departure of the review team for the on-site evaluation, the chair of the subcommittee or task force and the manufacturer shall select a date and time for the on-site evaluation, and shall prepare an agenda for the on-site evaluation which lists all of the products, processes, tests and trade secrets

relevant to the proposed change that will be viewed during the visit. The date, time and agenda shall be approved by the subcommittee prior to departure for the on-site evaluation, and thereafter the agenda can be expanded during the visit, but no item may be deleted.

f. The members of the review team shall be permitted to personally observe the manufacture of all components and products and the performance all processes and tests being evaluated. If a return visit is required to accomplish this objective due to mechanical failure beyond the reasonable control of the manufacturer, then at least three members of the review team, preferably from public agencies, shall return, at the expense of the manufacturer, providing that the manufacturer made a reasonable effort during the first visit to allow the team to review the manufacturing or the process. If a reasonable effort was not made during the first visit, then the entire review team shall return at the expense of the manufacturer to review the manufacturing or the process.

#### **G. SPECIAL REQUIREMENTS FOR NEW GREENBOOK PLANS**

Proposals for new Greenbook Plans will only be evaluated and considered when they meet the following criteria:

1. The proposed plan must be germane to public works construction. This Committee shall determine whether the proposed plan satisfies this requirement. Plans for items that are of such a unique or special nature that they would only be used infrequently on, or would only have a limited application to, public works construction will not be evaluated and considered.

2. The proposed plan must be submitted with drawing details in substantial conformity with those in the Greenbook Plans, together with appropriate engineering calculations to support any structural details depicted therein.

#### **H. SPECIAL REQUIREMENTS FOR QUESTIONS REGARDING WHETHER PRODUCTS OR PROCESSES ACTUALLY COMPLY WITH THE GREENBOOK OR GREENBOOK PLANS**

Whenever it comes to the attention of the Committee that a product or process which is being represented as meeting the provisions of the Greenbook or Greenbook Plans may not actually meet those provisions, (a) because the product or process may have been modified after its evaluation by this Committee in a way that could potentially affect the end product function or performance, or (b) because questions have arisen about a particular manufacturer's product or process which were never evaluated by this Committee, then this Committee may request the manufacturer involved to participate in an evaluation of that product or process. If the manufacturer agrees, the evaluation will be handled in the same manner as a proposed change. If the manufacturer refuses, this Committee may notify all users of the Greenbook or Greenbook Plans of this Committee's effort to evaluate the product or process for compliance with the provisions of the Greenbook or Greenbook Plans and the manufacturer's refusal to cooperate in that evaluation.

## **VI. CONCERNING SUBCOMMITTEES AND TASK FORCES**

### **A. STANDING SUBCOMMITTEES**

This Committee shall have the following standing subcommittees:

1. Specifications Subcommittee.
2. New Materials-Underground Subcommittee.
3. New Materials-Surface Subcommittee.
4. Greenbook Plans Subcommittee.
5. Greenbook Special Provisions Guide Subcommittee

### **B. OTHER SUBCOMMITTEES AND TASK FORCES**

This Committee shall have such other subcommittees or task forces as the APWA Co-chair may appoint. A task force may be appointed to evaluate one proposed change, one group of related proposed changes, or one category of methods or materials.

### **C. MEETINGS**

Each subcommittee and task force of this Committee shall meet as necessary to accomplish the work assigned to it. The dates, times and places of the meetings of each subcommittee and task force shall be selected by the chair of that subcommittee or task force; that chair shall take reasonable steps to give all members as much advance notice of those meetings as is reasonably necessary to permit them to participate. Whenever possible meetings will be held in Los Angeles County. When permitted by the chair, members may participate in meetings by telephone.

### **D. REPORTS OF WORK AND TIME GOALS ON PROPOSED CHANGES**

Each subcommittee to which a proposed change is assigned shall report back to this Committee on the status of the change one year after receiving the assignment, if it has not by then completed its recommendation for action by this Committee. Each task force shall submit to the person who appointed the task force, within six months of the receipt of any new assignment to the task force, (a) its preliminary schedule for performing the work assigned to it, (b) if appropriate, the preliminary list of requirements, tests and data needed to perform that work, and (c) the industry and engineering society standards that are likely to be useful in the evaluation process. It will be the goal of every task force to complete each assigned task within three years of its assignment.

### **E. FORMAT OF APPROVED PROPOSED CHANGES**

Proposed changes, before being approved by a subcommittee or task force of this Committee, shall be properly prepared so that they can be adopted by this Committee with little or no final editing being necessary to make them conform to the language, style and illustrations used in the Greenbook and Greenbook Plans.

### **F. PROVISIONS APPLICABLE ONLY TO SUBCOMMITTEES**

#### **1. Membership**

The membership of each subcommittee shall consist of (a) those members and alternates of this Committee appointed by the APWA Co-chair, and (b) all other

persons who are interested in the work of that subcommittee and who, in the opinion of the chair of that subcommittee, continue to make a meaningful contribution to that work.

## **2. Voting**

a. Unless a member of this Committee who is serving on the subcommittee requests that the right to vote on a particular matter be limited to just the members of this Committee, all participants in the work of a subcommittee shall be entitled to vote on every matter considered by the subcommittee. However, whenever a matter involves either (a) placing a new method or material into the Greenbook or Greenbook Plans, or (b) removing a method or material from the Greenbook or Greenbook Plans, then no person who has a conflict of interest concerning that matter shall vote on that matter (see III.B.2, above, for the definition of conflict of interest).

b. A participant in the activities of a subcommittee who has a conflict of interest concerning a matter shall announce that he or she has a conflict of interest as soon as the matter is brought up at a meeting and shall refrain from participation in the decision making process on that matter (see III.B.2, above, for the definition of participation in the decision making process). The name of any participant who announces a conflict of interest and the matter over which the conflict exists shall be noted in the minutes of the meeting.

c. Any question concerning the right of a person to participate in the work of, or vote on, a matter shall be decided by the subcommittee chair. However, those decisions can be overruled by the APWA Co-chair or by a majority of the members of this Committee present and voting at any regular meeting of this Committee.

d. Members of this Committee may be counted for a quorum and vote by proxy at any meeting of any subcommittee under the procedure described at II.B.3, above.

## **3. Quorum**

A majority of the members of this Committee who are appointed to a subcommittee shall constitute a quorum to commence business at any meeting of that subcommittee. A quorum need only be established once at the beginning of any meeting; departures after a quorum is established shall not invalidate the quorum.

# **G. SPECIFICATIONS SUBCOMMITTEE**

## **1. Purpose**

The Specifications Subcommittee shall evaluate and consider the proposed changes assigned to it, including all revisions, additions and deletions to Part 1 and all revisions to Parts 2, 3 and 4 of the Greenbook, and shall report on the results of its work to this Committee.

## **2. Methods**

It shall conduct whatever research and consultations it deems necessary or appropriate to its work.

### **3. Other Duties**

It shall perform such other duties as may be assigned by the APWA Co-chair or this Committee.

## **H. NEW MATERIALS–UNDERGROUND SUBCOMMITTEE**

### **1. Purpose**

The New Materials–Underground Subcommittee shall evaluate and consider the proposed changes assigned to it, including additions or deletions of materials or methods, below subgrade, to Parts 2, 3 and 4 and all revisions, additions and deletions to Part 5 of the Greenbook, and shall report on the results of its work to this Committee.

### **2. Methods**

It shall employ whatever research, demonstrations, field experience or testing as it deems necessary or appropriate to its work.

### **3. Involvement of Industry Representatives.**

It may solicit written comments and invite proponents and opponents of new materials or methods to present information and answer questions at its meetings or the meetings of its subcommittee task forces. Industry representatives may not appear at a meeting of the subcommittee or its task forces without the consent of the chair of the subcommittee or the particular task force.

### **4. Other Duties**

It shall perform such other duties as may be assigned by the APWA Co-chair or this Committee.

## **I. NEW MATERIALS–SURFACE SUBCOMMITTEE**

### **1. Purpose**

The New Materials–Surface Subcommittee shall evaluate and consider the proposed changes assigned to it, including additions or deletions of materials or methods, above and including subgrade, to Parts 2, 3 and 4 and all revisions, additions and deletions to Part 6 of the Greenbook, and shall report on the results of its work to this Committee.

### **2. Methods**

It shall employ whatever research, demonstrations, field experience or testing as it deems necessary or appropriate to its work.

### **3. Involvement of Industry Representatives.**

It may solicit written comments and invite proponents and opponents of new materials or methods to present information and answer questions at its meetings or the meetings of its subcommittee task forces. Industry representatives may not appear at a meeting of the subcommittee or its task forces without the consent of the chair of the subcommittee or the particular task force.

#### **4. Other Duties**

It shall perform such other duties as may be assigned by the APWA Co-chair or this Committee.

### **J. GREENBOOK PLANS SUBCOMMITTEE**

#### **1. Purpose**

The Greenbook Plans Subcommittee shall evaluate and consider the proposed changes assigned to it, and shall report on the results of its work back to this Committee.

#### **2. Methods**

It shall conduct whatever research and consultations it deems necessary or appropriate to its work.

#### **3. Other Duties**

It shall perform such other duties as may be assigned by the APWA Co-chair or this Committee.

### **K. GREENBOOK SPECIAL PROVISIONS GUIDE SUBCOMMITTEE**

#### **1. Purpose**

The Greenbook Special Provisions Guide Subcommittee shall evaluate and consider the proposed changes assigned to it, and shall report on the results of its work back to this Committee.

#### **2. Methods**

It shall conduct whatever research and consultations it deems necessary or appropriate to this work.

#### **3. Other Duties**

It shall perform such other duties as may be assigned by the APWA Co-chair or this Committee.

### **L. PROVISIONS APPLICABLE ONLY TO TASK FORCES**

#### **1. New Materials Task Forces**

a. Membership. No person shall be appointed to a new materials task force who has a conflict of interest concerning the subject matter of the task force (see III.B.2, above, for the definition of conflict of interest). All other persons who are interested in the work of that task force and who, in the opinion of the chair of that task force, continue to make a meaningful contribution to that work, shall be eligible for membership on the task force. No person shall participate as a member of a task force without first stating that no conflict of interest exists concerning the subject matter of the task force. Any member of a task force who develops a conflict of interest concerning the subject matter of the task force, shall resign from the task force. Any person who is not a member of a new materials task force, but who, in the opinion of the chair of the task force, makes a meaningful contribution to the work of the task

force may attend and be heard at meetings, but presentations by non-members shall be subject to reasonable restrictions imposed by the chair of the task force.

b. Voting. Only the duly appointed members of a new materials task force shall vote, make motions, second motions, or actively participate in the management of the task force meetings, e.g., by chairing the meeting, recording the minutes, or determining meeting agendas, time, dates or places.

c. Quorum. The chair of a new materials task force, or his or her designee, and two other members of the task force shall constitute a quorum to do business at any meeting of that task force. The quorum must be maintained for any motion, other than a motion to adjourn, to be acted upon by the task force.

d. Conduct of Meetings. The chair of a new materials task force shall control the meetings, including, when necessary, (a) imposing reasonable limitations on the time and scope of presentations, and (b) closing the meeting to anyone who is not a member of the task force.

e. Minutes. Minutes will be kept of all new materials task force meetings. The minutes will be a general record of the meeting. They will identify the topics discussed and describe any decisions reached. They will not be a record of discussions nor will they identify particular speakers or quote what any speaker said. Minutes may be taken by a person who is not a member of the task force, so long as that person has no conflict of interest concerning the matters being considered by the task force, and so long as the minutes are corrected, if necessary, and approved by the task force at its next meeting. If no minutes are being taken, no business may be conducted by the task force.

## **2. Other Task Forces**

Other task forces shall be governed by the policies and procedures for subcommittees.

### **M. SUBCOMMITTEE TASK FORCES**

The chair of each subcommittee may appoint and remove, with the approval of the APWA Co-chair, subcommittee task forces and the officers of those task forces, as may be appropriate to evaluate one proposed change, one group of related changes, or one category of materials or methods. Those task forces shall be constituted and operate under the appropriate provisions of VI.K, above.

## **VII.**

### **CONCERNING ADMINISTRATIVE REVIEW OF THE ACTIONS OF THIS COMMITTEE BY PUBLIC WORKS STANDARDS, INC.**

#### **A. OBTAINING ADMINISTRATIVE REVIEW**

1. The proponent of a proposed change, the manufacturer of any product or process that is the subject of a proposed change, or any member of this Committee, (a) who believes that the conflict of interest provisions in these Operating Policies and Procedures are being violated, (b) who believes that a proposed change is not being fairly evaluated, after the proposed change has been pending for at least 30 months without final action by this Committee or has been evaluated for at least 18 months by a subcommittee or task force without final action by that subcommittee or task force, or (c) who believes that a proposed change was not fairly adopted or rejected by this

Committee, shall seek an administrative review by the President of Public Works Standards, Inc.

2. An administrative review shall be commenced by delivering a written description of all of the pertinent facts and copies of all of the documents that are necessary for a complete understanding of the situation to the APWA Co-chair. If the review is from an adoption or rejection of a proposed change by this Committee, the package shall be delivered within 30 days of the date of that action. If the review is from any other act or omission, the package shall be delivered within 90 days after the act or omission occurred. The APWA Co-chair shall immediately acknowledge receipt of the package and deliver it to the President of Public Works Standards, Inc. The President of Public Works Standards, Inc. shall proceed with the administrative review as required by the bylaws of Public Works Standards, Inc. If the package is not timely delivered to the APWA Co-chair, the President of Public Works Standards, Inc. may summarily refuse to consider the request for review.

#### **B. REPORT TO THIS COMMITTEE**

The APWA Co-chair shall report the commencement of every administrative review, including a description of the complaint, at the next regular meeting of this Committee.

#### **C. EFFECT OF REVIEW**

This Committee shall do whatever it is directed to do by the President of Public Works Standards, Inc. after the administrative review is completed. Every proponent of a proposed change, every manufacturer of a product or process that is the subject of a proposed change, and every member of this Committee, agrees, by participating in any activities of this Committee or any of its subcommittees or task forces, that no act or omission of this Committee that may be administratively reviewed under this article can be challenged in any court until and unless an administrative review has been obtained.

### **VIII.**

#### **CONCERNING CHANGES TO THESE OPERATING POLICIES AND PROCEDURES**

A majority of the members can recommend a change in these Operating Policies and Procedures at any regular meeting of this Committee, provided that a copy of the proposed change (which sets forth the substance and significant aspects of the change as it would ultimately be adopted) was sent to each of the members at least 30 days, but not more than 120 days, prior to the meeting at which the vote is taken on the proposed change. No change to these Operating Policies and Procedure shall be effective until it is approved by the Board of Directors of Public Works Standards, Inc.