AGENDA OF THE
UTAH STATE BUILDING BOARD
(Revised)

Monday, February 1, 2010
Utah State Library for the Blind and Disabled
Rooms 218-219
Salt Lake City, Utah
9:00am

(Action)	1.	**Approval of Minutes of December 2, 2009**	Tab 1
(Action)	2.	**Approval of Planning Fund for Pre-Design/Planning for the Tooele ATC Building**	Tab 2
(Action)	3.	**Five Year Notice of Review and Statement of Continuation for Rule R23-26 Dispute Resolution**	Tab 3
(Action)	4.	**Administrative Reports for University of Utah and Utah State University**	Tab 4
(Information)	5.	**Administrative Report for DFCM**	Tab 5
(Action)	6.	**Surplus Sale of Ogden Eccles Group Home**	Tab 6

Notice of Special Accommodation During Public Meetings - In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify CeeCee Niederhauser 538-3261 (TDD 538-3260) at least three days prior to the meeting.

This information and all other Utah State Building Board information is available on DFCM web site at http://buildingboard.utah.gov

1/27/10

Utah State Building Board

Gary R. Herbert
Governor

4110 State Office Building
Salt Lake City, Utah 84114
Phone (801) 538-3018
Fax (801) 538-3267

MEMORANDUM

To: Utah State Building Board
From: David G. Buxton
Date: December 23, 2009
Subject: **Approval of Minutes of December 2, 2009**

Attached for your review and approval are the meeting minutes of the Utah State Building Board meetings help December 2, 2009.

DGM: cmn

Attachment

Utah State Building Board

MEETING

December 2, 2009

MINUTES

Utah State Building Board Members in attendance:
Mel Sowerby, Chair
Steve Bankhead
George Daines
Sheila Gelman
Wilbern McDougal

DFCM and Guests in attendance:

Gregg Buxton	Division of Facilities Construction & Management
Kurt Baxter	Division of Facilities Construction & Management
Shannon Elliott	Division of Facilities Construction & Management
John Harrington	Division of Facilities Construction & Management
Jeff Wrigley	Division of Facilities Construction & Management
Kim Hood	Department of Administrative Services
Alan Bachman	Attorney General's Office/DFCM
Rich Amon	Legislative Fiscal Analyst's Office
Kimberlee Willette	GOPB
Jerry Jensen	Department of Corrections
W. Ralph Hardy	Office of the Commissioner of Higher Education
Sherry Ruesch	Dixie State College
Bob Askerlund	Salt Lake Community College
Gordon Storrs	Salt Lake Community College
David Tanner	Southern Utah University
Jerry Basford	University of Utah
Perry Hacker	University of Utah
Ken Nye	University of Utah
Michael Perez	University of Utah
Kevin Hansen	Weber State University
Chris Coutts	Architectural Nexus
Eric Tholen	EFT/AIA
Cynthia Cook	FFKR Architects
Julee Attig	Henriksen/Butler

Melanie Meriwether	IBI Group
Jackie McGill	Spectrum Engineers

On Wednesday, December 2, the Utah State Building Board held a regularly scheduled meeting at the Utah State Capitol, Room 250, Salt Lake City, Utah. Chair Mel Sowerby called the meeting to order at 9:03am.

❑ APPROVAL OF MINUTES OF OCTOBER 22, 2009.....

Chair Sowerby sought a motion for approval of the minutes.

MOTION: Steve Bankhead moved to approve the meeting minutes of October 22, 2009. The motion was seconded by Wilbern McDougal and passed unanimously.

❑ REAL PROPERTY PURCHASE REQUEST.....

John Nichols, DFCM, discussed the potential acquisition of the property directly east of the White Ball Field in Salt Lake City. The lot is currently delegated by DFCM as a parcel for a large office building.

The land owner of the property has approached the State to purchase the property at the Granite Industrial Complex. The 182,000sf warehouse is just east of the White Ball Field. The state would be able to purchase it on an installment basis. The purchase would add 10.5 acres to the site and would provide access to the east, which will be beneficial when the Trax line is put in along North Temple.

The approval of this purchase would need to be approved by the Legislature after receiving approval by the Building Board and completion of the due diligence.

MOTION: Wilbern McDougal moved to approve the Real Property Purchase Request. The motion was seconded by Steve Bankhead and passed unanimously.

❑ APPLICATIONS TO THE UTAH STATE BUILDING BOARD FOR STATE FACILITY ENERGY EFFICIENCY FUND .....

Jeff Wrigley, DFCM, presented the Utah Department of Transportation Region Four Southeast Lighting Retrofit which will cover nine different maintenance stations for UDOT. All nine buildings are estimated to cost $46,068 with an estimated energy savings of 69,384 kWh totaling $6,498. An incentive would apply to seven of the nine buildings which would total $9,923, and the estimated payback would be just over five years.

The Utah Department of Transportation Division of Aeronautics Lighting Retrofit could be completed for $10,167, with an estimated energy savings of 22,523 kWh. The projected

annual cost savings would be $1,911, with a project payback of 3.5 years.

The Department of Human Services Ogden Observation and Assessment Energy Upgrades consisted of a lighting retrofit and rescheduling the air handling units. The estimated cost of the total project is $4,394, with a projected annual energy savings of $21,621. The projected annual cost savings is $2,377 over 1.1 years.

MOTION: George Daines moved to approve the three projects for the State Facility Energy Efficiency Fund. The motion was seconded by Steve Bankhead and passed unanimously.

❑ DEPARTMENT OF HUMAN SERVICES PLANNING FUND REQUEST.....

Keith Davis, Department of Human Services, stated MHTN was hired to help DHS prepare for the presentation on the State Hospital Consolidation project. DHS will request reimbursement of funds when the project is funded.

MOTION: George Daines moved to approve the Department of Human Services Planning Fund Request. The motion was seconded by Steve Bankhead and passed unanimously.

❑ UPDATE TO THE WEBER STATE UNIVERSITY RESIDENTIAL LIFE MASTER PLAN.....

Kevin Hansen, Weber State University, stated the original master plan was presented and approved by the Board last June. Subsequent to that meeting, Weber State began the design process with MHTN who determined that the renovation for Wasatch Hall was within approximately $500,000 of the $11 million replacement cost due to the unforeseen additional structural issues. At that time, WSU determined that renovation was not the most cost effective solution.

WSU proposed a change to the previous master plan and begin demolition of the LaSalle and Stansbury Halls in May 2010. Construction of a new 265 person residence hall will then begin with an estimated completion of August 2011. Promontory Tower would be demolished in May 2011 and Wasatch Hall is scheduled for demolition in the spring of 2012. Housing reserves would fund the design and revenue bonds would fund the construction.

MOTION: Steve Bankhead moved to approve the update to the Weber State University Residential Life Master Plan. The motion was seconded by Wilbern McDougal and passed unanimously.

❑ UNIVERSITY OF UTAH GUEST HOUSE EXPANSION .....

The University of Utah previously presented this project as an other fund project, and was returning to provide more information.

Jerry Azmuth, University of Utah, explained identified the location of the Guest House in relation to the shuttle services to the medical center. Many guests at the Guest House are there for medical services.

Mr. Azmuth also identified the revenues and the rate structure compared to other hotels in the valley. The Guest House does not market to anyone except the University

The project is an addition to the current Guest House which would provide an additional 51 bedrooms to the existing 134 bedrooms, along with other ancillary spaces. The auxiliary enterprise does not involve state funds. The revenue bond and debt would be serviced by the revenue of the proceeds of the Guest House.

George Daines felt all his questions had been answered and the project should proceed as a non-state funded project.

MOTION: George Daines moved to approve the University of Utah Guest House Expansion. The motion was seconded by Steve Bankhead and passed unanimously.

❑ ADMINISTRATIVE REPORTS FOR UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY .....

Ken Nye, University of Utah, presented the administrative report for the period of October 2 to November 13, 2009. There were 12 design agreements, three study/other agreements, and five construction agreements awarded for the period.

MOTION: Steve Bankhead moved to approve the administrative report of the University of Utah. The motion was seconded by George Daines and passed unanimously.

Kurt Baxter provided the Utah State University administrative report for the period of September 30 to November 13, 2009. There were three professional contracts and two construction contracts awarded for the period.

Steve Bankhead stated there are relatively few contractors who are getting a large portion of the work. He felt an effort needed to be made by USU to ensure other contractors were receiving work too.

MOTION: Wilbern McDougal moved to approve the administrative report for Utah State University. The motion was seconded by Steve Bankhead and passed unanimously.

❑ ADMINISTRATIVE REPORT FOR DFCM .....

Kurt Baxter presented the administrative report for the period of September 28 to November 16, 2009. There were 25 architect/engineering agreements and 24 construction contracts awarded for the period.

Director Buxton approved a direct award of the Weber State University Social Science Roof Deck Emergency Roof Replacement to Kendrick Brother Roofing per the roof manufacturer, Johns Manville, request. The roof experienced damage from severe wind, and while demolition on the roof was underway, it was observed that the concrete roof deck is in poor condition.

❑ ADJOURNMENT.....

MOTION: George Daines moved to adjourn at 9:55am. The motion was seconded by Wilbern McDougal and passed unanimously.

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Utah State Building Board

Gary R. Herbert
Governor

4110 State Office Building
Salt Lake City, Utah 84114
Phone (801) 538-3018
Fax (801) 538-3267

MEMORANDUM

To: Utah State Building Board
From: David G. Buxton
Date: Jan 12, 2010
Subject: **Approval of Planning Fund for Pre-Design/Planning for the Tooele ATC Building**

Recommendations

DFCM recommends that the Building Board review the request from Tooele ATC fund and approve pre-design/planning funds not to exceed $15,000.

Background

Tooele ATC is requesting funds for their first Capital Development Project. They would like to hire a design firm to do preliminary planning for the TATC/USU Tooele Campus Building.

DGB:kfb

Attachment

TATC
Tooele Applied Technology College
A UCAT Campus

Capital Development Summary

The Tooele Applied Technology College (TATC) was established during the 2009 General Session of the Utah Legislature to provide Career and Technical Education to the citizens, communities and employers of Tooele County.

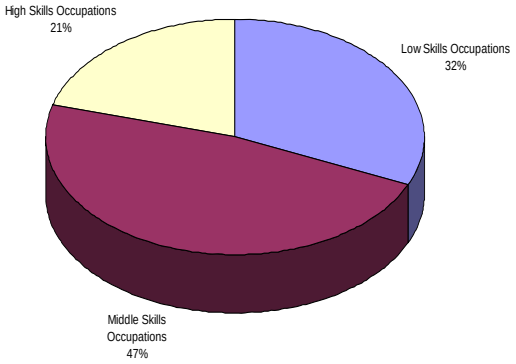
Limited funding for the college provided the opportunity to launch programs in business, healthcare, information technology and transportation. The TATC began operations on July 1, 2009 with 13 FTEs in 9,635 square feet of leased space.

TATC enjoys a positive reception from the community and is functioning at near capacity and is only limited by available resources and space.

Lasting partnerships have been developed with City and County Governments, Tooele County School District, Utah State University, Economic Development, Chamber of Commerce, Department of Workforce Services, and various businesses and industries. Education and training opportunities are coordinated and supported by the newly established Tooele County Alliance of Education and Economic Development. The Alliance consists of leaders from all levels of education, business, community, workforce agencies, and government.

Tooele County population, businesses and jobs are exploding. During 2000-2007, the population increased by 32% (ninth fastest growing mid-size county in the U.S.), businesses increased by 40%, and job growth increased by 37% (ranked #1 in the nation for job growth). Additionally, Tooele County jobs have grown 8.2% from February to June of 2009.

Business and industry need skilled and educated workers. 18% of residents obtain a Bachelor degree, compared to the state average of 28% and 47% of the jobs are identified as “Middle-Skill”.



Almost half of Utah’s jobs in 2006 were Middle-Skill jobs and DWS projections show this holding steady.

Tooele County’s future will require additional training and higher education to meet market demands. Additionally, proprietary schools are non-existent.

Tooele County desperately needs additional resources to accommodate existing and future workforce needs, demands, and opportunities for Middle-Skill jobs and advanced degrees.

With increasing need, heightened demand, and emerging opportunities, TATC is looking to the future and believes that Tooele County urgently needs its own Applied Technology College facility if it is to be a viable resource for business and industry training.

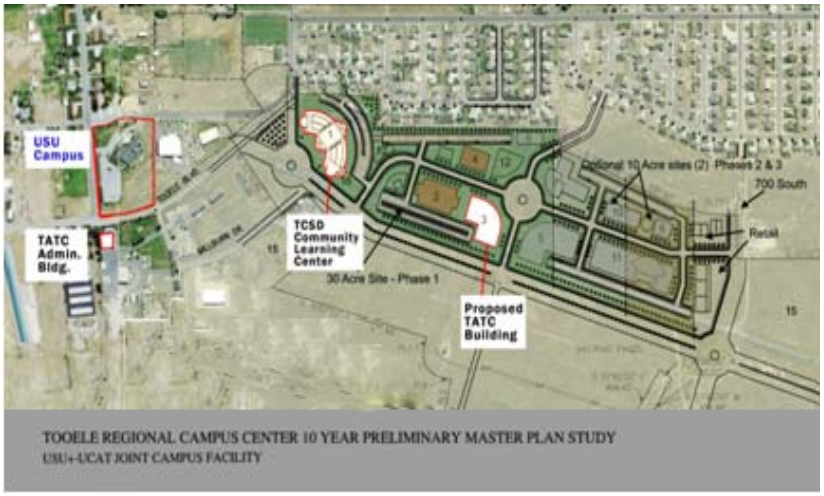
TATC and Utah State University have entered into a partnership to seek funding for a shared facility. USU, UCAT, and TATC leaders are committed to this combined approach. Letters of support have been obtained from the Tooele County Commission, Tooele County Economic Development, and Tooele County School District.

The State Building Board has ranked the TATC/USU Capital Development project at #13. The project requests an 80,000 square foot shared facility at $19,974,661 with 30% of the project (approximately $6,000,000) obtained by alternative funding sources for a total request of $13,974,661. The Capital Budget Estimate indicates $16,694 for Pre-Design/Planning and $876,498 for the Design, totaling $893,192 for Planning and Design.

Community partners have been identified and the commitment is high. Utah State University will provide the land needed for the building, an approximate 15 acre footprint, on the 50 acres of property owned by the university. This property is adjacent to the Tooele County School District's new Community Learning Center to be completed in August 2010. The school district has been gracious in designing their project with our expansion in mind. Utility infrastructure has been planned, including utilities and communications. The paved road is in place, leading to the proposed TATC-USU building.

County government has endorsed the project and will contribute significant funding and in-kind easement. Local industries will become partners through the vision of our Tooele County Education and Economic Alliance. Together, the $6 million shared commitment from sources other than state will be secured before planning is complete.

The shared facility will establish Tooele County's Education and Training Corridor to enhance education, training, and economic development efforts in many ways and it will provide for numerous education and training opportunities at every level of education, now and into the future. The 10 year master plan envisions the development of an innovation campus to benefit all community members – economically, intellectually, and socially.



For additional information, please contact Scott Snelson at 435.248.1801 ssnelson@tatc.edu or Gary S. Straquadine at 435.882-6611 gary.straquadine@usu.edu

State of Utah

Division of Facilities Construction and Management
4110 State Office Building Salt Lake City, Utah 84114
Phone: 801-538-3018 Fax: 801-538-3267

MEMORANDUM

To: Utah State Building Board
From: D. Gregg Buxton, Director
Date: January 19, 2010
Subject: Five Year Notice of Review and Statement of Continuation for Rule R23-26, Dispute Resolution

The Utah Rulemaking Act, Utah Code Ann. Section 63G-3-305 requires each agency to review its rules within five years of each rule's original enactment, and then within five-year intervals. To comply with the review requirement, the agency must submit a "Five-Year Notice of Review and Statement of Continuation" for each of its rules. Otherwise, the rules will expire, become unenforceable, and will be removed from the Utah Administrative Code. The attached Rule R23-26, Dispute Resolution, is due for review; and therefore, the "Five Year Notice of Review and Statement of Continuation" must be filed with the Division of Administrative Rules on or before March 15, 2010.

Recommendation:
It is recommended that the Board authorize the filing of the "Five Year Notice of Review and Statement of Continuation" for Rule R23-26 at their scheduled Board meeting on February 1, 2010. At this time, the Division is not recommending any amendments to Rule R23-26. However, the Division will present amendments to this rule at a future Board meeting for consideration and approval if needed or requested by the Board.

Background:
Rule R23-26, under the authority of the Board, establishes a process for resolving disputes involved with contracts under the Division's procurement authority. A copy of Rule 23-26 is attached.

LD/ASB

Attachments: Effective Copy of Rule R23-26
Five-Year Notice of Review for Rule R23-26

R23. Administrative Services, Facilities Construction and Management.

R23-26. Dispute Resolution.

R23-26-1. Purpose and Scope.

(1) The purpose of this rule is to establish a process for resolving disputes involved with contracts under the Division's procurement authority. The objectives of the procedure are to:

(a) encourage the payment of the appropriate and fair amount on a timely basis for work or services performed;

(b) encourage the resolution of issues on an informal basis in order to minimize Disputes and Claims;

(c) encourage fair and timely settlement of Claims;

(d) provide a process that is as simple as possible and minimizes the costs to all parties in achieving a resolution;

(e) maintain effective contractual relationships and responsibilities;

(f) when possible, resolve related issues and responsibilities as a package;

(g) discourage bad faith, frivolous or excessive Claims;

(h) avoid having Claims interfere with the progress of the work;

(i) assure that the presentation of good faith and non-frivolous issues and Claims do not negatively affect selection processes for future work, while bad faith and frivolous issues, as well as the failure of a Contractor or Subcontractor to facilitate resolution of issues, may be considered in the evaluation of the Contractor or Subcontractor; and

(j) provide a process where Subcontractors at any tier, which have a Claim that involves a good faith issue related to the responsibility of the Division or anyone for whom the Division is liable, has the ability to present the matter for resolution in a fair and timely manner to those of any higher tier and ultimately to the Division without creating any contractual relationship between the Division and the Subcontractor at any tier.

(2) This rule does not apply to any protest under Section 63G-6-801.

(3) A Claim under this rule that does not include a monetary claim against the Division or its agents is not limited to the dispute resolution process provided for in this rule.

(4) Persons pursuing Claims under the process required by this rule:

(a) are bound by the decision reached under the process unless the decision is properly appealed; and

(b) may not pursue a Claim under the dispute resolution process established in Sections 63G-6-805 through 63G-6-814.

(5) This rule does not apply to tort or other claims subject to the provisions of the Utah Governmental Immunity Act.

(6) This rule shall not limit the right of the Division to have any of its issues, disputes or claims considered in accordance with the applicable contract or law.

R23-26-2. Authority.

(1) The rule is authorized pursuant to Subsection 63A-5-208(6) and under the authority of the Utah State Building Board,

Section 63A-5-101 and the Department of Administrative Services, Division of Facilities Construction and Management, Section 63A-5-201 et seq.

R23-26-3. Definitions.

For purposes of this rule:

(1) "Claim" means a dispute, demand, assertion or other matter submitted by a Contractor that has a contract under the procurement authority of the Division, including Subcontractors as provided for in this rule. The claimant may seek, as a matter of right, modification, adjustment or interpretation of contract terms, payment of money, extension of time or other relief with respect to the terms of the contract. A request for Preliminary Resolution Effort (PRE) shall not be considered a "Claim." A requested amendment, requested change order, or a Construction Change Directive (CCD) is not a PRE or Claim unless agreement cannot be reached and the procedures of this rule are followed.

(2) "Contractor" means a person or entity under direct contract with the Division and under the Division's procurement authority.

(3) "DFCM representative" means the Division person directly assigned to work with the Contractor on a regular basis.

(4) "Director" means the director of the Division, including unless otherwise stated, his/her duly authorized designee.

(5) "Division" means the Division of Facilities Construction and Management established pursuant to Section 63A-5-201 et seq. It may also be referred in this rule as "DFCM."

(6) "Executive Director" means the Executive Director of the Department of Administrative Services, including unless otherwise stated, his/her duly authorized designee.

(7) "Preliminary Resolution Effort" or "PRE" means the processing of a request for preliminary resolution or any similar notice about a problem that could potentially lead to a Claim and is prior to reaching the status of a Claim.

(8) "Resolution of the claim" means the final resolution of the claim by the Director, but does not include any administrative appeal, judicial review or judicial appeal thereafter.

(9) "Subcontractor" means any subcontractor or subconsultant at any tier under the Contactor, including any trade contractor, specialty contractor or consultant but does not include suppliers who provide only materials, equipment or supplies to a contractor, subcontractor or subconsultant. "Subcontractor" does not include any person or entity, at any tier, under contract with a Lessor.

R23-26-4. Procedure for Preliminary Resolution Efforts.

(1) Request for Preliminary Resolution Effort (PRE). A Contractor raising an issue related to a breach of contract or an issue concerning time or money shall file a PRE as a prerequisite for any consideration of the issue by the Division.

(2) Time for Filing. The PRE must be filed in writing with the DFCM representative within twenty-one (21) days after the Contractor knew or should have known of an event for initiating a PRE, as defined in the applicable contract. If the Division's contract does not define the event, the event shall be defined as

the time at which the issue cannot be resolved through the normal business practices associated with the contract. The labeling of the notice shall not preclude the consideration of the issue by the Division. A shorter notice provision may be designated in the contract where damages can be mitigated such as delays or concealed or unknown conditions, the discovery of hazardous materials, emergency conditions, or historical or archeological discoveries.

(3) Content Requirement. The PRE shall be required to include in writing to the extent information is reasonably available at the time of such filing:

(a) a description of the issue;

(b) the potential impact on cost and time or other breach of contract; and

(c) an indication of the relief sought.

(4) Supplementation. Additional detail of the content requirement above shall be provided later if the detail is not yet available at the initial filing as follows:

(a) While the issue is continuing or the impact is being determined, the Contractor shall provide a written updated status report every 30 days or as otherwise reasonably requested by the DFCM Representative; and

(b) After the scope of work or other factors addressing the issue are completed, the complete information, including any impacts on time, cost or other relief requested, must be provided to the DFCM Representative within twenty-one (21) days of such completion.

(5) Subcontractors.

(a) Under no circumstances shall any provision of this rule be intended or construed to create any contractual relationship between the Division and any Subcontractor.

(b) The Contractor must include the provisions of this subsection (5) in its contract with the first tier Subcontractor, and each Subcontractor must do likewise. At the Contractor's discretion, the Contractor may allow a Subcontractor at the 2nd tier and beyond to submit the PRE directly with the Contractor.

(c) In order for a Subcontractor at any tier to be involved with the preliminary resolution process of the Division, the following conditions and process shall apply:

(i) The Subcontractor must have attempted to resolve the issue with the Contractor including the submission of a PRE with the Contractor;

(ii) The Subcontractor must file a copy of the PRE with the DFCM Representative;

(iii) The PRE to the Contractor must meet the time, content and supplementation requirements of Section R23-26-4. The triggering event for a Subcontractor to file a PRE shall be the time at which the issue cannot be resolved through the normal business practices associated with the contract, excluding arbitration and litigation;

(iv) The PRE submitted to the Contractor shall only be eligible for consideration in the Division's PRE process to the extent the issue is reasonably related to the performance of the Division or an entity for which the Division is liable;

(v) The Contractor shall resolve the PRE to the satisfaction of the Subcontractor within sixty (60) days of its submittal to the Contractor or such other time period as subsequently agreed to by the Subcontractor in writing. If the Contractor fails to resolve the PRE with the Subcontractor within such required time period, the Subcontractor may submit in writing the PRE with the Contractor and the Division. In order to be eligible for Division consideration of the PRE, the Subcontractor must submit the PRE within twenty-one (21) days of the expiration of the time period for the Contractor/Subcontractor PRE process. The Division shall consider the PRE as being submitted by the Contractor on behalf of the Subcontractor.

(vi) Upon such PRE being submitted, the Contractor shall cooperate with the DFCM Representative in reviewing the issue.

(vii) The Division shall not be obligated to consider any submission which is not in accordance with this rule.

(viii) The Subcontractor may accompany the Contractor in participating with the Division regarding the PRE raised by the Subcontractor. The Division is not precluded from meeting with the Contractor separately and it shall be the responsibility of the Contractor to keep the Subcontractor informed of any such meetings.

(ix) Notwithstanding any provision of this rule, a Subcontractor shall be entitled to pursue a payment bond claim.

(6) PRE Resolution Procedure. The DFCM Representative may request additional information and may meet with the parties involved with the issue.

(7) Contractor Required to Continue Performance. Pending the final resolution of the issue, unless otherwise agreed upon in writing by the DFCM Representative, the Contractor shall proceed diligently with performance of the contract and the Division shall continue to make payments in accordance with the contract.

(8) Decision. The Division shall issue to the Contractor, and any other party brought into the process by the DFCM Representative as being liable to the Division, a written decision providing the basis for the decision on the issues presented by all of the parties within thirty (30) days of receipt of all the information required under Subsection R23-26-4 (5)(b) above.

(9) Decision Final Unless Claim Submitted. The decision by the Division shall be final, and not subject to any further administrative or judicial review (not including judicial enforcement) unless a Claim is submitted in accordance with this rule.

(10) Extension Requires Mutual Agreement. Any time period specified in this rule may be extended by mutual agreement of the Contractor and the Division.

(11) If Decision Not Issued. If the decision is not issued within the thirty (30) day period, including any agreed to extensions, the issue may be pursued as a Claim.

(12) Payment for Performance. Except as provided in this rule, any final decision where the Division is to pay additional monies to the Contractor, shall not be delayed by any PRE, Claim or appeal by another party. Payment to the Contractor of any final decision shall be made by the Division in accordance with

the contract for the completed work. Notwithstanding any other provision of this rule, payment to the Contractor shall be subject to any set-off , claims or counterclaims of the Division. Payment to the Contractor for a Subcontractor issue submitted by the Contractor shall be paid by the Contractor to the Subcontractor in accordance with the contract between the Contractor and the Subcontractor. Any payment or performance determined owing by the Contractor to the Division shall be made in accordance with the contract.

R23-26-5. Resolution of Claim.

(1) Claim. If the decision on the PRE is not issued within the required timeframe or if the Contractor is not satisfied with the decision, the Contractor or other party brought into the process by the Division, may submit a Claim in accordance with this rule as a prerequisite for any further consideration by the Division or the right to any judicial review of the issue giving rise to the claim.

(2) Subcontractors. In order for a Subcontractor to have its issue considered in the Claim process by the Division, the Subcontractor that had its issue considered under Section 23-26-4(6) may submit the issue as a Claim by filing it with the Contractor and the Division within the same timeframe and with the same content requirements as required of a Claim submitted by the Contractor under this rule. The Division shall consider the Claim as being submitted by the Contractor on behalf of the Subcontractor. Under no circumstances shall any provision of this rule be intended or construed so as to create any contractual relationship between the Division and any Subcontractor.

(a) Upon such Claim being submitted, the Contractor shall fully cooperate with the Director, the person(s) evaluating the claim and any subsequent reviewing authority.

(b) The Director shall not be obligated to consider any submission which is not in accordance with this rule.

(c) The Subcontractor may accompany the Contractor in participating with the Director, the person(s) evaluating the Claim and any subsequent reviewing authority regarding the Claim. The Director, the person(s) evaluating the Claim and any subsequent reviewing authority is not precluded from meeting with the Contractor separately, and it shall be the responsibility of the Contractor to keep the Subcontractor informed of any such meetings and matters discussed.

(d) Notwithstanding any provision of this rule, a Subcontractor shall be entitled to pursue a payment bond claim.

(3) Time for Filing. The Claim must be filed in writing promptly with the Director, but in no case more than twenty-one(21) days after the decision is issued on the PRE under Subsection 23-26-4(8) above or no more than twenty-one (21) days after the decision is not issued under Subsection 23-26-4(11) above, whichever is later.

(4) Content Requirement. The written Claim shall include:

(a) a description of the issues in dispute;

(b) the basis for the Claim, including documentation and analysis required by the contract and applicable law and rules

that allow for the proper determination of the Claim;

(c) a detailed cost estimate for any amount sought, including copies of any related invoices; and

(d) a specific identification of the relief sought.

(5) Extension of Time to Submit Documentation. The time period for submitting documentation and any analysis to support a Claim may be extended by the Director upon written request of the claimant showing just cause for such extension, which request must be included in the initial Claim submittal.

(6) Contractor Required to Continue Performance. Pending the final determination of the Claim, including any judicial review or appeal process, and unless otherwise agreed upon in writing by the Director, the Contractor shall proceed diligently with performance of the Contract and the Division shall continue to make payments in accordance with the contract.

(7) Agreement of Claimant on Method and Person(s) Evaluating the Claim. The Director shall first attempt to reach agreement with the claimant on the method and person(s) to evaluate the Claim. If such agreement cannot be made within fourteen (14) days of filing of the Claim, the Director shall select the method and person(s), considering the purpose of this rule as stated in Section R23-26-1. Unless agreed to by the Director and the claimant, any selected person shall not have a conflict of interest or appearance of impropriety. Any party and the person(s) evaluating the Claim has a duty to promptly raise any circumstances regarding a conflict of interest or appearance of impropriety. If such a reasonable objection is raised, and unless otherwise agreed to by the Director and the claimant, the Director shall take appropriate action to eliminate the conflict of interest or appearance of impropriety. The dispute resolution methods and person(s) may include any of the following:

(a) A single expert and/or hearing officer qualified in the field that is the subject of the Claim;

(b) An expert panel, consisting of members that are qualified in a field that is the subject of the Claim;

(c) An arbitration process which may be binding if agreed to by the parties to the Claim;

(d) A mediator; or

(e) Any other method that best accomplishes the purpose of Section R23-26-1.

(8) Evaluation Process.

(a) No Formal Rules of Evidence. There shall be no formal rules of evidence but the person(s) evaluating the Claim shall consider the relevancy, weight and credibility of the evidence.

(b) Questions. Parties and the person(s) evaluating the Claim have the right to ask questions of each other.

(c) Investigation and Documents. The person(s) evaluating the Claim has the right to investigate and request documents, consider any claims or counterclaims of the Division, may set deadlines for producing documents, and may meet with the parties involved with the Claim together or separately as needed. Copies of submitted documents shall be provided to all parties.

(d) Failure to Cooperate. The failure of a party to cooperate with the investigation or provide requested

documentation may be a consideration by the person(s) evaluating the Claim in reaching the findings in its report.

(e) Record of the Proceeding. The person(s) evaluating the Claim shall determine the extent to which formal minutes, transcripts, and/or recordings shall be made of the meetings and/or hearings and shall make copies available to all parties.

(f) Certification. The person(s) evaluating the Claim may require the certification of documents provided.

(9) Timeframe for Person(s) Evaluation the Claim and Director's Determination. The Claim shall be resolved no later than sixty (60) days after the proper filing of the Claim, which includes any extension of time approved under Section R23-26-5(5). The person(s) evaluating the Claim may extend the time period for resolution of the Claim by not to exceed sixty (60) additional days for good cause. The time period may also be extended if the claimant agrees. The person(s) evaluating the Claim shall issue to the parties a schedule providing the timeframe for the issuance of the following:

(a) a Preliminary Resolution Report including the preliminary findings regarding the Claim;

(b) the receipt of written comments concerning the preliminary report. A copy of such comments must be delivered to the other parties to the Claim within the same timeframe;

(c) a reply to written comments, which must also be delivered to the other parties to the Claim within the same timeframe; and

(d) a final report and recommendation which must be delivered to the Director and the other parties no later than seven (7) days prior to the expiration of the required timeframe for resolution of the Claim.

(10) Director's Final Resolution. The Director shall consider the final recommendation and report and issue the final resolution of the Claim, with any modifications, prior to the expiration of the required timeframe for resolution of the Claim.

R23-26-6. Administrative Appeal to the Executive Director of the Department of Administrative Services.

(1) Administrative Appeal. The Contractor may file a written administrative appeal of the final resolution of the person(s) evaluating the Claim with the Executive Director of the Department of Administrative Services. The administrative appeal is the prerequisite for any further consideration by the State of Utah, or to judicial review of the issue giving rise to the Claim. It shall be considered that the Contractor, or another party brought into the process by the Division, has not exhausted its administrative remedies if such an administrative appeal is not undertaken.

(2) Time for Filing. The administrative appeal must be filed in writing promptly with the Executive Director and delivered to the other parties to the Claim, but in no case more than fourteen (14) days after the Contractor's receipt of the Director's final resolution of the Claim.

(3) Content. The Administrative Appeal must state the basis for the appeal.

(4) Response. Within five (5) days of receipt of the Administrative Appeal, any party may deliver to Executive Director written comments concerning the appeal. A copy of such comments must be delivered to the other parties to the Claim within the same five (5) day time period.

(5) Reply to Written Comments. Within five (5) days of receipt of written comments, any party may deliver to the Executive Director a reply to the written comments concerning the appeal. A copy of such reply must be delivered to the other parties to the Claim within the same five (5) day time period.

(6) Executive Director's Decision. Within thirty (30) days of receipt of the Administrative Appeal, and after considering the appeal, the Director's final resolution, responses and replies, the Executive Director or his/her designee shall issue a final decision of the appeal in writing and shall state the basis of the decision. Failure of the Executive Director to issue a written decision within the thirty (30) day time period, shall entitle the appellant to seek judicial review of the Claim. The time period for the Executive Director's decision may be extended by agreement of the Executive Director and the Appellant.

R23-26-7. Payment of Claim.

(1) When a stand alone component of a Claim has received a final determination, and is no longer subject to review or appeal, that amount shall be paid in accordance with the payment provisions of the contract or judicial order.

(2) When the entire Claim has received a final determination, and is no longer subject to review or appeal, the full amount shall be paid within fourteen (14) days of the date of the final determination unless the work or services has not been completed, in which case the amount shall be paid in accordance with the payment provisions of the contract to the point that the work or services is completed.

(3) The final determination date is the earlier of the date upon which the claimant accepted the settlement in writing with an executed customary release document and waived its rights of appeal, or the expiration of the appeal period.

(4) Any final determination where the Division is to pay additional monies to the Contractor shall not be delayed by any appeal or request for judicial review by another party brought into the process by the Division as being liable to the Division.

(5) Notwithstanding any other provision of this rule, payment of all or part of a Claim is subject to any set-off , claims or counterclaims of the Division.

(6) Payment to the Contractor for a Subcontractor issue (Claim) deemed filed by the Contractor, shall be paid by the Contractor to the Subcontractor in accordance with the contract between the Contractor and the Subcontractor.

(7) The execution of a customary release document related to any payment may be required as a condition of making the payment.

R23-26-8. Judicial Review.

(1) The Executive Director's decision on the appeal, or the failure to provide a decision within the required time period

under Subsection R23-26-6(6), shall be deemed a final agency action subject to judicial review as provided in Sections 63G-4-401 and 63G-4-402, including, but not limited to requirements for exhaustion of administrative remedies, the requirements for a petition of judicial review, jurisdiction and trial de novo.

(2) The participation of a person in the claim evaluation process does not preclude the person from testifying in a judicial proceeding to the extent allowed by Utah law.

R23-26-9. Allocation of Costs of Claim Resolution Process.

(1) In order to file a Claim, a claimant must pay a $1500 filing fee to the Division. When the Claim is a pass-through from a Subcontractor in accordance with Subsection R23-26-4(5), the payment of the fee shall be made by the Subcontractor.

(2) Unless otherwise agreed to by the parties to the Claim, the costs of resolving the Claim shall be allocated among the parties on the same proportionate basis as the determination of financial responsibility for the Claim.

(3) The costs of resolving the Claim that are subject to allocation include the claimant's filing fee, the costs of any person(s) evaluating the Claim, the costs of making any required record of the process, and any additional testing or inspection procured to investigate and/or evaluate the Claim.

(4) Each party is responsible for its own attorney fees.

R23-26-10. Alternative Procedures.

To the extent otherwise permitted by law, if all parties to a Claim agree in writing, a protocol for resolving a Claim may be used that differs from the process described in this rule.

R23-26-11. Impact on Future Selections.

(1) The presentation of a good faith and non-frivolous issue or Claim shall not be considered by the Division's selection process for a future award of contract; and

(2) The submission of a bad faith and frivolous issue or Claim or the failure by a Contractor to facilitate resolution of a Claim, may be considered in the Division's evaluation of performance.

R23-26-12. Delegated Projects.

Projects delegated by the Division shall provide for contract provisions which provide a similar dispute resolution process as provided for in this rule.

R23-26-13. Report to Building Board.

The Division may report on the status of claims to the Utah State Building Board.

KEY: resolutions, settlements, disputes
Date of Enactment or Last Substantive Amendment: March 15, 2005
Authorizing, and Implemented or Interpreted Law: 63A-5-208(6); 63A-5-103(1)(e); 63G-6-208(2)

Utah State Building Board

Gary R. Herbert
Governor

4110 State Office Building
Salt Lake City, Utah 84114
Phone (801) 538-3018
Fax (801) 538-3267

MEMORANDUM

To: Utah State Building Board
From: David G. Buxton
Date: Feb 1, 2010
Subject: **Administrative Reports for University of Utah and Utah State University**

Attached for your review and approval are the administrative reports for the University of Utah and Utah State University.

DGB:CJN

Attachment

THE UNIVERSITY OF UTAH

Office of the Vice President
For Administrative Services

December 18, 2009

Mr. Gregg Buxton, Director
Division of Facilities Construction and Management
4110 State Office Building
Salt Lake City, UT 84114

Subject: U of U Administrative Reports for June 2009 Building Board Meeting.

Dear Gregg:

The following is a summary of the administrative reports for the U of U for the period 11/13/09 to 12/18/09. Please include this in the packet for the January 6, 2010 Building Board Meeting.

Professional Services Agreements (Page 1)
The Professional Services Agreements awarded during this period consist of:
4 Design Agreements, 3 Programming/Planning Agreement, 0 Study/Other Agreements.

Item #7 is the commissioning agreement for the new North Chiller Plant that will support USTAR and other facilities in this portion of campus.

Construction Contracts (Page 2)
The Construction Contracts awarded during this period consist of:
0 New Space Contracts, 6 Remodeling Contracts, 0 Site Improvement Contracts.

No significant items.

Report of Project Reserve Fund Activity (Page 3)
Increases:
These transfers move the remaining balances in these projects into the Project Reserve per state requirements. These projects have now been closed. The scope of work for the Museum of Natural History chiller replacement was constrained due to the pending relocation of the museum to a new building. The actual cost of the other two projects came in significantly below previous estimates.

Decreases:
None.

Associate Vice President Facilities Management
1795 East South Campus Dr Rm 219
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Salt Lake City, UT 84112-9404
(801) 581-6510
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Report of Contingency Reserve Fund (Page 4)
Increases:
None.

Decreases:
Project #20006, Physics Building Drainage Improvements.
This transfer of $81,562.34 covers the cost of unknown conditions discovered after the contract award. It was found that the water flow was happening at a much lower elevation requiring substantially more excavation and the routing of the drainage line to a different node in the storm sewer system.

Project #20024,HTW Pipeline Replacement, Health Sciences Area.
This transfer of $202,057.73 covers the cost of vaults that were found to have deteriorated to the point that they had to be replaced or substantially repaired. It also covers the cost of valve changes required by an increase in the pipe size for this line. The University also contributed $370,848 to cover the majority of the cost of the change in pipe size. The size of the pipe was increased to bring flow rates down to acceptable tolerances.

Representatives from the University of Utah will attend the Building Board meeting to address any questions the Board may have.

Sincerely,

Kenneth E. Nye, Director
Facilities Management Business Services

Enclosures

cc: University of Utah Trustees
Mike Perez
Gregory L. Stauffer

THE UNIVERSITY OF UTAH

Professional Services Agreements
Awarded From November 13, 2009 to December 18, 2009

Item Number	Project No.	Project Name	Firm Name	Project Budget	Contract Amount
	Design				
1	20226	HPER Mall Site Restoration	Nolte Associates, Inc.	$150,000	$38,576
2	20195	Biopolymers 4th Floor Lab Remodel	Architectural Nexus	$109,338	$13,417
3	20027	Life Sciences Building, Fume Hood Upgrade Design	DLJ Mechanical Engineers	$629,500	$30,632
4	20226	HPER Mall Site Restoration	GSBS Architects	$150,000	$6,250
	Programming/ Planning				
	Study/ Other				
5	20148	Temporary Replacement Parking on Wasatch Drive - Materials Testing	Western Technologies	$2,250,000	$18,480
6	20226	HPER Mall Site Restoration	Nolte Associates, Inc.	$150,000	$13,950
7	20011	North Campus Chilled Water	Horizon Engineeering Association LC	$19,640,387	$134,442

THE UNIVERSITY OF UTAH

Construction Contracts
Awarded From November 13, 2009 to December 18, 2009

Item Number	Project No.	Project Name	Firm Name	Design Firm	Project Budget	Contract Amount
	Construction - New Space					
	Construction - Remodeling					
1	20184	Henry Eyring Building - West Stair Replacement	Marquis Construction	HFS Architects	$218,026	$17,500
2	20056	Animal Resources Center - Autoclave	Archer Construction Inc.	HFS Architects	$420,000	$32,816
3	20143	University Hospital Inpatient Pharmacy Remodel	Manufactured Case Goods and Furniture	HKS Architects	$2,738,800	$41,000
4	20130	Dahle Plaza Level 2 Remodel	Velocity Construction	MRW Design Associates Inc.	$100,000	$79,000
5	20212	U of U Union - ASUU Room 234 Furniture	Manufactured Case Goods and Furniture	Blalock & Partners	$65,000	$22,950
6	20045	Aline Wilmot Skaggs Biology Research Building Room Remodels	KOH Mechanical Contractors	Micron Engineering	$343,395	$201,160
	Construction - Site Improvement					

University Of Utah
Report Of Project Reserve Fund Activity
For the Period of November 14, 2009 to December 18, 2009

PROJECT NUMBER	PROJECT TITLE	TRANSFER AMOUNT	DESCRIPTION FOR CONTINGENCY TRANSFER	% OF CONSTR. BUDGET
	BEGINNING BALANCE	292,563.85		
	INCREASES TO PROJECT RESERVE FUND:			
12773	HPEB MOTOR CONTROLS UPGRADE	163,719.16	EXCESS BALANCE	51.70%
13022	MUSEUM OF NATURAL HISTORY BLDG #5 CHILLER REPLACEMENT	104,550.00	EXCESS BALANCE	65.80%
20005	LAW LIBRARY CHILLER REPLACEMENT	28,219.00	EXCESS BALANCE	14.30%
	DECREASES TO PROJECT RESERVE FUND:			
	CURRENT BALANCE OF PROJECT RESERVE:	589,052.01		

THE UNIVERSITY OF UTAH

University Of Utah
Report Of Contingency Reserve Fund Activity
For the Period of November 14, 2009 to December 18, 2009

PROJ. NO.	DESCRIPTION	CURRENT TRANSFERS	TOTAL TRANSFERS FROM CONTINGENCY	% OF CONSTR. BUDGET	PROJECT STATUS
	BEGINNING BALANCE	2,406,070.45			
	INCREASES TO CONTINGENCY RESERVE FUND				
	DECREASES TO CONTINGENCY RESERVE FUND				
	NEW CONSTRUCTION				
	REMODELING				
20006	PHYSICS BUILDING DRAINAGE IMPROVEMENTS	(81,562.34)	(81,562.34)	33.47%	Construction
20024	HTW LINES REPLACEMENT - HEALTH SCIENCES AREA	(202,057.73)	(202,057.73)	6.38%	Construction
	ENDING BALANCE 01-00376-7000-05107	2,122,450.38			

THE UNIVERSITY OF UTAH

Office of the Vice President
For Administrative Services

January 8, 2010

Mr. Gregg Buxton, Director
Division of Facilities Construction and Management
4110 State Office Building
Salt Lake City, UT 84114

Subject: U of U Administrative Reports for January 28th Building Board Meeting.

Dear Gregg:

The following is a summary of the administrative reports for the U of U for the period 12/18/09 to 1/8/10. Please include this in the packet for the January 28, 2010 Building Board Meeting.

Professional Services Agreements (Page 1)
The Professional Services Agreements awarded during this period consist of:
1 Design Agreement, 0 Programming/Planning Agreements, 5 Study/Other Agreements.

No significant items.

Construction Contracts (Page 2)
The Construction Contracts awarded during this period consist of:
0 New Space Contracts, 1 Remodeling Contract, 0 Site Improvement Contracts.

No significant items.

Report of Project Reserve Fund Activity (Page 3)
Increases:
None.

Decreases:
Project #20218, HTW Pipeline Replacement.
This transfer of $130,732 provides the additional funding required to award the construction contract for this project. Due to failure of this pipe, it was necessary to expedite this work. The design for how this line will tie into the new HPER Mall tunnel is still being worked out so that portion of the work has not been included in this transfer. Once the actual cost of the tie in is known, an additional transfer will be made from Project Reserve. Our current estimate of this additional cost is $25,000. The logistics of this site require that excavated materials be hauled away and then returned after the pipe has been installed.

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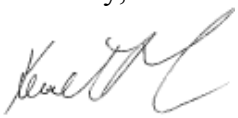
Report of Contingency Reserve Fund (Page 4)
Increases:
None.

Decreases:
None.

Representatives from the University of Utah will attend the Building Board meeting to address any questions the Board may have.

Sincerely,



Kenneth E. Nye, Director
Facilities Management Business Services

Enclosures

cc: University of Utah Trustees
Mike Perez
Gregory L. Stauffer

Professional Services Agreements
Awarded From December 18, 2009 to January 8, 2010

Item Number	Project No.	Project Name	Firm Name	Project Budget	Contract Amount
	Design				
1	20223	Research Administration Building - HVAC Improvements	Micron Engineering	$26,862	$3,800
	Programming/ Planning				
	Study/ Other				
2	20210	Ambulatory Care Complex Facility Study	HKS Architects	$567,450	$493,000
3	20152	EMRL Meldrum Building Addition - Commissioning	Total Building Comm	$18,900	$18,900
4	20009	High Temperature Waterline Cogeneration System Emissions Testing	DMK Environmental Engineering Inc.	$18,815,312	$10,000
5	20036	Seismic Study - 5 Buildings	BHB Consulting Engineers PC	$150,000	$133,000
6	20241	Replacement University Student Housing - Feasibility Study	MJSA Architecture	$45,000	$45,000

THE UNIVERSITY OF UTAH

Construction Contracts
Awarded From December 18, 2009 to January 8, 2010

Item Number	Project No.	Project Name	Firm Name	Design Firm	Project Budget	Contract Amount
	Construction - New Space					
	Construction - Remodeling					
1	20143	University Hospital Inpatient Pharmacy Remodel - HVAC	Western Sheet Metal	HKS Architects	$2,738,800	$138,950
	Construction - Site Improvement					

University Of Utah
Report Of Project Reserve Fund Activity
For the Period of December 18, 2009 to January 8, 2010

PROJECT NUMBER	PROJECT TITLE	TRANSFER AMOUNT	DESCRIPTION FOR CONTINGENCY TRANSFER	% OF CONST. BUDGET
	BEGINNING BALANCE	589,052.01		
	DECREASES TO PROJECT RESERVE FUND:			
20218	HTW PIPELINE REPLACEMENT, WEST OF HPER COMPLEX	(130,732.00)	Replace failing existing HTW pipe	41.80%
	CURRENT BALANCE OF PROJECT RESERVE:	**458,320.01**		

University Of Utah
Report Of Contingency Reserve Fund Activity
For the Period of December 18, 2009 January 8, 2010

PROJECT NUMBER	DESCRIPTION	CURRENT TRANSFERS	TOTAL TRANSFERS FROM CONTINGENCY	% OF CONST. BUDGET	PROJECT STATUS
	BEGINNING BALANCE	2,122,450.38			
	INCREASES TO CONTINGENCY RESERVE FUND				
	DECREASES TO CONTINGENCY RESERVE FUND				
	NEW CONSTRUCTION				
	REMODELING				
	ENDING BALANCE 01-00376-7000-05107	2,122,450.38			

UtahState University
VICE PRESIDENT FOR BUSINESS AND FINANCE

16 December 2009

David G. Buxton, Director
Division of Facilities Construction
and Management
State Office Building Room 4110
PO Box 141160
Salt Lake City, Utah 84114-1163

Dear Gregg:

SUBJECT: USU Administrative Reports for January 2010 Building Board Meeting

The following is a summary of the administrative reports for USU for the period 11/13/09 to 12/16/09:

Professional Contracts, 3 contracts issued (Page 1)
Comments are provided on the report.

Construction Contracts, 1 contract issued (Page 2)
Comments are provided on the report.

Report of Contingency Reserve Fund (Page 3)
No significant items.

Report of Project Reserve Fund Activity (Page 4)
Three projects closed adding $6,279.33 to the Project Reserve Fund.

Current Delegated Projects List (Pages 5-6)
Of USU's 53 current projects, 4 are Complete, 21 Substantially Complete, 20 in Construction, 7 in the Design/Study phase, and 1 Pending.

Representatives from Utah State University will attend the Building Board meeting to address any questions the Board may have.

Sincerely,

Fred R. Hunsaker
Interim Vice President for
Business and Finance

FRH/jm

c: Gregory L. Stauffer
Darrell E. Hart
Ben R. Berrett
Stanley G. Kane

1445 Old Main Hill Logan, UT 84322-1445 Ph: (435) 797-1146 Fax: (435) 797-0710 www.usu.edu/vpbus

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Professional Contracts
Awarded From 11/13/09 to 12/16/09

	Contract Name	Firm Name	A/E Budget	Fee Amount	Comments
1	Health, Life Safety & Code Compliance Projects FY09	Architectural Design West	$10,909.00	$15,170.00	Balance needed from other line item budgets
2	Water Lab Fume Hood Upgrade	Skyline A/E/S	$113,668.00	$2,500.00	Design retrofit of existing millwork
3	Campus-wide Sidewalk Replacements	Cache Landmark Engineering	$10,150.00	$1,032.50	Design ADA ramp at Fine Arts Center south entrance

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Construction Contracts
Awarded From 11/13/09 to 12/16/09

	Project	Firm Name	Design Firm	Const Budget	Contract Amt	Comments
1	Fume Hood, A/C & Controls Upgrade (Combined project)	USU Facilities	USU Facilities Planning and Design	$781,195.00	$28,841.72	BNR 340 fume hood

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Report of Contingency Reserve Fund
From 11/13/09 to 12/16/09

Project Title	Current Transfers	Total Transfers To (From) Contingency	% to Construction Budget	Project Status	% Completed (Paid)
BEGINNING BALANCE	**$627,473.88**				
INCREASES TO CONTINGENCY RESERVE FUND					
Tennis Courts Relocation (Close project)	3,890.19	(65,189.81)	29.53%	Complete	100%
DECREASES TO CONTINGENCY RESERVE FUND					
Ray B. West Window Replacement (Change order)	(5,299.00)	(6,839.00)	1.07%	Construction	54%
CEP Chillers (Change order)	(2,140.50)	(82,612.32)	6.56%	Substantial Completion	95%
Campus-wide Sidewalk Replacements (Change order)	(1,875.00)	(1,875.00)	0.62%	Construction	92%
CPD Fire Alarm FY09 (Change order)	(1,425.45)	(1,425.45)	1.07%	Construction	80%
Campus-wide Medium Voltage Upgrade FY10 (Facilities contractor support with power outage)	(1,029.00)	(3,119.57)	0.52%	Construction	24%
ENDING BALANCE	**$619,595.12**				

UtahStateUniversity

Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Report of Project Reserve Fund Activity
From 11/13/09 to 12/16/09

Project Title	Transfer Amount	Description	% of Construction Budget
BEGINNING BALANCE	**$378,265.92**		
INCREASES TO PROJECT RESERVE FUND			
Classroom Upgrades FY08	3,736.91	Close project	0.55%
Campus-wide Ventilation	2,473.00	Close project	1.56%
New Well (Industrial Science)	69.42	Close project	0.007%
DECREASES TO PROJECT RESERVE FUND			
None			
ENDING BALANCE	**$384,545.25**		

UtahStateUniversity

Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Current Delegated Projects List
12/16/09

Project Number	Project Name	Phase	Project Budget
CAPITAL DEVELOPMENT/IMPROVEMENT			
A08087	New Well (Industrial Science)	Complete	$342,356
	Well Pump House and Controls		250,000
	Pump House and Equipment		588,776
A21736	Equine Education Center	Construction	3,280,235 *
A14526	Utah Botanical Center Wetland Discovery Lab	Substantial Completion	1,752,422
A07961	Building 86C/Wind Tunnel Replacement (Structures Lab)	Substantial Completion	889,656
A16967	Fume Hood Upgrades FY08	Substantial Completion	500,000
	A/C & Controls Upgrade FY08		426,740
A16878	Campus-wide Medium Voltage Upgrades	Substantial Completion	682,808
A16873	Fire Alarm Upgrades FY08	Partial Completion	282,051
A16881	CEP Chillers	Substantial Completion	1,494,504
A16876	Access Control/Security Systems Upgrades	Construction	188,800
A16871	Classroom Upgrades FY08	Complete	803,061
A16877	CEP Electrical Feed	Equipment order	188,685
A16968	Campus-wide Ventilation	Complete	186,459
A16872	Tanner Fountain	Substantial Completion	314,752
A16971	Planning & Design Fund FY08	Design/Study	100,000
A17575	Brigham City Science Lab Addition	Substantial Completion	2,286,297
A16783	UWRL Hydraulics Laboratory	Substantial Completion	1,831,989
A18615	Steam Line Replacement to NFS	Substantial Completion	933,000
A18972	Planning & Design Fund FY09	Design/Study	100,000
A18973	Health, Life Safety & Code Compliance Projects FY09	Construction	192,727
A18728	Campus-wide Sidewalk Replacements	Substantial Completion	321,775
A18974	Business Building Cladding	Substantial Completion	422,158
A18975	Water Lab Fire Lane Access/Bridges	Substantial Completion	919,947
A18976	Water Lab Fume Hood Upgrade	Construction	1,392,647
A18978	Tippetts Gallery Lighting/HVAC	Substantial Completion	863,437
A18980	CPD Fire Alarm FY09	Substantial Completion	140,782
A18981	Natural Resources Siding	Construction	94,453
A18982	Campus-wide Benches/Trash Receptacles/Urns	Construction	118,038
A18984	Eccles Conference Center/Business Walkways	Design	189,393

A18985	Miscellaneous Critical Improvements FY09	Construction	196,193
A18594	Tennis Courts Relocation	Complete	653,031
A18363	Tooele Classrooms Addition	Substantial Completion	3,608,399
A19843	TSC 3rd Floor HVAC Remodel	Substantial Completion	637,421
A20091	Military Science Renovation (Psychology Teaching Lab/1st & 2nd Floors)	Substantial Completion	197,207
A19028	Roosevelt Child Lab/Bookstore Remodel	Construction	293,935
A20143	SER Observatory	Construction	265,347
A20520	USTAR Biofuels Outdoor Facility (Innovation Campus)	Substantial Completion	863,151
A20557	Campus-wide Medium Voltage Upgrade FY10	Construction	617,176
A20794	Ray B. West Window Replacement	Construction	768,439
A20856	Miscellaneous Critical Improvements FY10	Construction	378,571
A20857	Planning & Design Fund FY10	Design/Study	100,000
A20858	Health, Life Safety & Code Compliance Projects FY10	Construction	94,642
A20859	Classroom Upgrades FY10	Construction	284,548
A20860	HPER Office/Classroom Upgrade	Construction	189,878
A20861	Fine Arts Complex Safety Repairs	Design	331,812
A20862	Building Recommissioning	Construction	236,607
A20863	Campus Wide Bike Racks	Pending	47,273
A20864	Business MCC and E-Panel	Construction	94,546
A20865	NE Campus (NFS) Steam Line Replacement	Substantial Completion	500,000
A20736	Spectrum Locker Rooms Remodel	Substantial Completion	468,165
A20471	Anthropology Museum Relocation	Conceptual Design/Feasibility only	20,000
A20974	FAC 214 (Choir Room) Remodel	Design only	10,000
A21088	Utah Botanical Center Wetland Lab ARRA Improvements	Construction	275,000
PAVING (STATEWIDE)			
A08076	Miscellaneous Paving	Substantial Completion	63,773
TOTAL (53)			$33,273,062

* Project management delegated to USU.

UtahState University
VICE PRESIDENT FOR BUSINESS AND FINANCE

8 January 2010

David G. Buxton, Director
Division of Facilities Construction
and Management
State Office Building Room 4110
PO Box 141160
Salt Lake City, Utah 84114-1163

Dear Gregg:

SUBJECT: USU Administrative Reports for January/February 2010 Building Board Meeting

The following is a summary of the administrative reports for USU for the period 12/16/09 to 01/08/10:

Professional Contracts, 1 contract issued (Page 1)
Comments are provided on the report.

Construction Contracts, 3 contracts issued (Page 2)
Comments are provided on the report.

Report of Contingency Reserve Fund (Page 3)
No change.

Report of Project Reserve Fund Activity (Page 4)
No change.

Current Delegated Projects List (Pages 5-6)
Of USU's 53 current projects, 4 are Complete, 21 Substantially Complete, 21 in Construction, and 7 in the Design/Study phase.

Representatives from Utah State University will attend the Building Board meeting to address any questions the Board may have.

Sincerely,

David T. Cowley
Vice President for
Business and Finance

DTC/jm

c: Gregory L. Stauffer
Darrell E. Hart
Ben R. Berrett
Stanley G. Kane

1445 Old Main Hill Logan, UT 84322-1445 Ph: (435) 797-1146 Fax: (435) 797-0710 www.usu.edu/vpbus

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Professional Contracts
Awarded From 12/16/09 to 01/08/10

	Contract Name	Firm Name	A/E Budget	Fee Amount	Comments
1	Planning & Design Fund FY10	G. Brown Design	$100,000.00	$17,300.00	Quad tree replacement master plan

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Construction Contracts
Awarded From 12/16/09 to 01/08/10

	Project	Firm Name	Design Firm	Const Budget	Contract Amt	Comments
1	Campus Wide Bike Racks	USU Facilities	USU Facilities Planning and Design	$45,454.00	$15,406.36	Ag Science, BNR, and Fine Arts Center locations
	MISCELLANEOUS CONTRACTS					
2	Tippetts Gallery Lighting/HVAC	Environmental Abatement		$5,000.00	$3,550.00	Asbestos abatement
3	HPER Office/Classroom Upgrade	Environmental Abatement		$1,107.00	$1,107.00	Asbestos abatement

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Report of Contingency Reserve Fund
From 12/16/09 to 01/08/10

Project Title	Current Transfers	Total Transfers To (From) Contingency	% to Construction Budget	Project Status	% Completed (Paid)
BEGINNING BALANCE	**$619,595.12**				
INCREASES TO CONTINGENCY RESERVE FUND					
None					
DECREASES TO CONTINGENCY RESERVE FUND					
None					
ENDING BALANCE	**$619,595.12**				

UtahStateUniversity

Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Report of Project Reserve Fund Activity
From 12/16/09 to 01/08/10

Project Title	Transfer Amount	Description	% of Construction Budget
BEGINNING BALANCE	**$384,545.25**		
INCREASES TO PROJECT RESERVE FUND			
None			
DECREASES TO PROJECT RESERVE FUND			
None			
ENDING BALANCE	**$384,545.25**		

UtahStateUniversity
Office of the Vice President for Business and Finance
1445 Old Main Hill
Logan, UT 84322-1445

Current Delegated Projects List
01/08/10

Project Number	Project Name	Phase	Project Budget
CAPITAL DEVELOPMENT/IMPROVEMENT			
A08087	New Well (Industrial Science)	Complete	$342,356
	Well Pump House and Controls		250,000
	Pump House and Equipment		588,776
A21736	Equine Education Center	Construction	3,280,235 *
A14526	Utah Botanical Center Wetland Discovery Lab	Substantial Completion	1,752,422
A07961	Building 86C/Wind Tunnel Replacement (Structures Lab)	Substantial Completion	889,656
A16967	Fume Hood Upgrades FY08	Substantial Completion	500,000
	A/C & Controls Upgrade FY08		426,740
A16878	Campus-wide Medium Voltage Upgrades	Substantial Completion	682,808
A16873	Fire Alarm Upgrades FY08	Partial Completion	282,051
A16881	CEP Chillers	Substantial Completion	1,494,504
A16876	Access Control/Security Systems Upgrades	Construction	188,800
A16871	Classroom Upgrades FY08	Complete	803,061
A16877	CEP Electrical Feed	Equipment order	188,685
A16968	Campus-wide Ventilation	Complete	186,459
A16872	Tanner Fountain	Substantial Completion	314,752
A16971	Planning & Design Fund FY08	Design/Study	100,000
A17575	Brigham City Science Lab Addition	Substantial Completion	2,286,297
A16783	UWRL Hydraulics Laboratory	Substantial Completion	1,831,989
A18615	Steam Line Replacement to NFS	Substantial Completion	933,000
A18972	Planning & Design Fund FY09	Design/Study	100,000
A18973	Health, Life Safety & Code Compliance Projects FY09	Construction	192,727
A18728	Campus-wide Sidewalk Replacements	Substantial Completion	321,775
A18974	Business Building Cladding	Substantial Completion	422,158
A18975	Water Lab Fire Lane Access/Bridges	Substantial Completion	919,947
A18976	Water Lab Fume Hood Upgrade	Construction	1,392,647
A18978	Tippetts Gallery Lighting/HVAC	Substantial Completion	863,437
A18980	CPD Fire Alarm FY09	Substantial Completion	140,782
A18981	Natural Resources Siding	Construction	94,453
A18982	Campus-wide Benches/Trash Receptacles/Urns	Construction	118,038
A18984	Eccles Conference Center/Business Walkways	Design	189,393

A18985	Miscellaneous Critical Improvements FY09	Construction	196,193
A18594	Tennis Courts Relocation	Complete	653,031
A18363	Tooele Classrooms Addition	Substantial Completion	3,608,399
A19843	TSC 3rd Floor HVAC Remodel	Substantial Completion	637,421
A20091	Military Science Renovation (Psychology Teaching Lab/1st & 2nd Floors)	Substantial Completion	197,207
A19028	Roosevelt Child Lab/Bookstore Remodel	Construction	293,935
A20143	SER Observatory	Construction	265,347
A20520	USTAR Biofuels Outdoor Facility (Innovation Campus)	Substantial Completion	863,151
A20557	Campus-wide Medium Voltage Upgrade FY10	Construction	617,176
A20794	Ray B. West Window Replacement	Construction	768,439
A20856	Miscellaneous Critical Improvements FY10	Construction	378,571
A20857	Planning & Design Fund FY10	Design/Study	100,000
A20858	Health, Life Safety & Code Compliance Projects FY10	Construction	94,642
A20859	Classroom Upgrades FY10	Construction	284,548
A20860	HPER Office/Classroom Upgrade	Construction	189,878
A20861	Fine Arts Complex Safety Repairs	Design	331,812
A20862	Building Recommissioning	Construction	236,607
A20863	Campus Wide Bike Racks	Construction	47,273
A20864	Business MCC and E-Panel	Construction	94,546
A20865	NE Campus (NFS) Steam Line Replacement	Substantial Completion	500,000
A20736	Spectrum Locker Rooms Remodel	Substantial Completion	468,165
A20471	Anthropology Museum Relocation	Conceptual Design/Feasibility only	20,000
A20974	FAC 214 (Choir Room) Remodel	Design only	10,000
A21088	Utah Botanical Center Wetland Lab ARRA Improvements	Construction	275,000
PAVING (STATEWIDE)			
A08076	Miscellaneous Paving	Substantial Completion	63,773
TOTAL (53)			$33,273,062

* Project management delegated to USU.

Utah State Building Board

Gary R. Herbert
Governor

4110 State Office Building
Salt Lake City, Utah 84114
Phone (801) 538-3018
Fax (801) 538-3267

MEMORANDUM

To: Utah State Building Board
From: David G. Buxton
Date: Jan 28, 2010
Subject: **Administrative Reports for DFCM**

The following is a summary of the administrative reports for DFCM.

Lease Report (Pages 1 - 2)
No significant items

Architect/Engineering Agreements Awarded, 28 Agreements Issued (Pages 3 - 5)
No significant items

Construction Contracts Awarded, 25 Contracts Issued (Pages 6 - 8)
Item #7, Univ of Utah Neuropsychiatric Institute
Item #9, USU College of Agriculture
Item #10, ABC Warehouse Expansion/Remodel
These are CM/GC agreements; the balance of the construction costs will be added by future change orders.

Report of Contingency Reserve Fund (Pages 9 - 10)
Increases
The increases are the result of decrease change orders or modifications, and budgeted contingencies.

Decreases, New Construction
Univ of Utah USTAR Neuroscience Research Center
This transfer of $452,485 is an adjustment to the projects' contingency budget due to receiving less general obligation bonds than originally budgeted for. The Universities contingency budget was adjusted as well.

Multi Agency Office Building
This transfer of $139,023 covers change order #11 for various omissions and scope changes to; additional lighting for many pieces of existing art displayed in building, electrical for vending machines, add a stainless steel countertop to the cold cafeteria for the Business Enterprise

program, change to frosted glass from clear glass in several of the offices for privacy, and a scope change to replace the relief air dampers with low leakage dampers for greater energy savings.

Report of Contingency Reserve Fund Continued (Pages 9 - 10)

Decreases, New Construction

Gunnison CUCF New 192 Bed Expansion

These transfers of $245,995 covers change order #17 and #18 for omissions to replace spare sliding gate operator used in vehicle sally port, provide baffles at fire sprinklers, and on the fire fighters control panel to provide and install initial and complete programming. Also an unknown to replace the deaerating feedwater tank, surge tank and temp tank equipment that were discovered to be worn and beyond repair. Also a return of contractor contingency to the project.

Unified Lab Facility

This transfer of $134,816 covers change order #16 for various items on the project. These include scope changes, omissions, and unknowns for; repair the existing sewer main on the Rampton property that is required by the sewer district, additional site signage, provide silence mechanism in fire alarms, change the service carrier helium & hydrogen piping from copper to stainless steel, and to add a fence and gravel mulch for security and maintenance of the mechanical yard.

Decreases, Remodeling

POST Academy Remodel

This transfer of $49,689 covers design modification and change order #10 for various unknowns and scope changes. These include; replace damaged batt insulation with unfaced insulation, remove and replace soils in parking, smoke barriers, additional fiber to add strength to the concrete topping, provide boiler kill switches, existing gypcrete floor repairs and leveling, create a separate vestibule which required a simple heating system new ceiling fire sprinklers, lighting, fire alarm, and card access.

USDC Boiler Replacement/Building Repairs

This transfer of $38,443 is for change order #3 which covers an unknown to modify the main steam line connection at the tunnel. This connects the new plant to the main steam line in the tunnel from the old plant.

Report of Project Reserve Fund Activity (Pages 11 - 12)

Increases

These items reflect savings on projects that were transferred to Project Reserve per statute.

Decreases

The decrease is for the annual transfer to the DFCM Administration Budget per Legislative action.

DGB:DDW:
Attachment

DFCM

Division of Facilities Construction and Management
4110 State Office Building, Salt Lake City, UT 84114
Telephone (801) 538-3018 FAX (801) 538-3267

LEASE REPORT
From 11/16/09 to 1/5/2010

No	Agency/Location	Services	Space Type	Lease Term	Square Feet Old	Square Feet New	Cost/Sq. Ft. Old	Cost/Sq. Ft. New	Comment
LEASES									
1.	National Guard, Armory Price	Partial	Office	10 Yrs.	3,200		$ 4.79		New location for program growth.
2.	Technology Services Pink Cliffs Kane County	Not relevant to space	Land	29 Yrs.	10,000		$ 0.00		New location for program growth, zero-cost land lease.
AMENDMENTS									
1.	Agriculture, ADC Brigham City	Full	Office	2 Yrs.	160	160	$11.25	$11.25	Renewal, no change in rent.
2.	Agriculture, Provo	Full	Office	5 Yrs.	600	600	$ 7.46	$ 7.46	Renewal, no change in rent.
3.	Education, Rehabilitation American Fork	Full	Office	5 Yrs.	2,000	2,000	$16.80	$16.97	Renewal at market.
4.	Environmental Quality Air Quality, Tooele	Not relevant to space	Air Monitor Station	5 Yrs.	576	576	$ 0.00	$ 0.00	Renewal, no-cost lease.
5.	Financial Institutions Administration Salt Lake City	Full	Office	5 Yrs.	10,543	10,543	$14.75	$17.50	Renewal at market, tenant improvements.

DFCM

Division of Facilities Construction and Management
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LEASE REPORT
From 11/16/09 to 1/5/2010

No	Agency/Location	Services	Space Type	Lease Term	Square Feet Old	Square Feet New	Cost/Sq. Ft. Old	Cost/Sq. Ft. New	Comment
6.	Human Services Juvenile Justice Services Ogden	Net	Human Resource Center	3 Yrs.	3,154	3,154	$ 4.57	$ 4.57	Renewal, no change in rent.
7.	Public Safety, Utah Highway Patrol Salt Lake City	Full	Office	5 Yrs.	6,000	12,774	$14.00	$14.50	Renewal at market, increase in square footage.
8.	Tax Commission Motor Vehicles Salt Lake City	Full	Parking Lot and Office	5 Yrs.	7,437	7,437	$16.66	$16.66	Renewal, no change in rent.
9.	Workforce Services Heber City	Full	Office	2 Yrs.	3,613	3,613	$19.69	$18.00	Renewal, decrease in rent.

State of Utah

Division of Facilities and Construction Management

Professional Contracts Awarded

Contract Type = P;Award Date >= 11/12/2009; and less than 12/16/2009

#	Agency	Contract Name	Firm	Type	Budget	Award
	Design					
1	Alcoholic Beverage Contrl	Department Of Alcoholic Beverage Control asrs Expansion/warehouse Remodel - Design	Architectural Nexus	Design	$1,056,810	$867,300
2	Salt Lake Comm College	Slcc Airport Campus Reroof	Prior & Associates	Design	$4,375	$5,625
3	Utah Valley University	Uvu Facilites Bldg. Improvements	Prior & Associates	Design	$45,312	$45,312
4	Utah Valley University	Uvu Science Bldg. Addition	Gsbs Pc	Design	$2,555,000	$2,292,189
5	Dnr - Parks & Recreation	Sand Hollow St. Park Pwc Parking Lot Improvements	Johansen & Tuttle Engineering	Design	$22,250	$22,250
6	Dnr - Wildlife Resources	Division Of Wildlife Resources springville Regional Office covered Storage Structure Design	Thalmann Fred L Aia	Design	$16,000	$16,000
7	Dixie St College Of Utah	Dixie College Admin Breeze Infill	Mrw Design Associates	Design	$7,940	$7,940
8	Veterans Affairs	Ung Veterans Memeorial Cemetery Paving Improvements	King Engineering Inc	Design	$11,980	$10,425
9	Utah State University	Usu Agriculture Bldg. Design	Hdr Architecture Inc	Design	$1,910,000	$1,917,899
10	Utah Valley University	Uvu Chiller Rebuild	Heath Engineering Company	Design	$12,160	$11,528
11	National Guard	Utah National Guard	Eft Architects Inc	Design	$66,450	$63,604

State of Utah

Division of Facilities and Construction Management

Professional Contracts Awarded

Contract Type = P;Award Date >= 11/12/2009; and less than 12/16/2009

#	Agency	Contract Name	Firm	Type	Budget	Award
	Design					AIM
		brigham City Armory Upgrade/remodel - Design				
12	Southern Utah University	Suu Boiler 1 Design	Whw Engineering Inc	Design	$40,000	$40,000
	Programming/Master Planning					AIM
13	University Of Utah	University Of Utah beverley Taylor Sorenson Arts/education Complex programming	Cooper Roberts Simonsen Architects	Programming	$147,948	$267,775
	Miscellaneous Services					AIM
14	Alcoholic Beverage Contrl	Department Of Alcoholic Beverage Control asrs Expansion/warehouse Remodel construction Cost Auditing Services	Construction Control Corp	Unclass Consult	$45,000	$29,835
15	Utah Valley University	Uvu Business Entry Design	Method Studio	Unclass Consult	$26,000	$26,000
16	University Of Utah	University Of Utah university Neuropsychiatric Institute Expansion energy Consultation	Nexant Inc	Study	$35,000	$14,395
17	Weber State University	Weber State University - Wasatch Hall Renovation commissioning Services	E-cube, Inc.	Commissioning	$90,000	$88,990
18	Dept Of Transportation	Udot Tie Fork Visitor Center	Epic Engineering	Insp Observ Ser	$44,000	$43,737
19	Utah Valley University	Uvu Water Fountain Improvements	Water Design Inc.	Unclass Consult	$70,000	$6,650

State of Utah

Division of Facilities and Construction Management

Professional Contracts Awarded

Contract Type = P;Award Date >= 12/16/2009; and less than 01/06/2010

#	Agency	Contract Name	Firm	Type	Budget	Award
	Design					AIM
1	Tax Commission	Tax Commission Parking Lot Repair & Slurry Seal	Mcneil Engineering Inc	Design	$7,471	$7,900
2	Weber State University	Weber State University new Residential Life Building - Design	Mhtn Architects Inc	Design	$535,000	$532,185
3	Corrections - Draper	Department Of Corrections draper Prison - Boiler Control Upgrades Design	Van Boerum & Frank Assoc Inc	Design	$6,566	$24,000
	Programming/Master Planning					AIM
4	University Of Utah	University Of Utah legacy Bridge Honors Student Housing programming Services	Pollard Architects	Programming	$730,000	$730,000
	Miscellaneous Services					AIM
5	Alcoholic Beverage Contrl	New Holladay City Liquor & Wine Store	Forsgren Associates	Insp Observ Ser	$17,000	$11,006
6	Weber State University	Weber State University new Residential Life Building - Consulting	Treanor Architects	Unclass Consult	$23,000	$22,700
7	Dnr - Wildlife Resources	Whiterocks Fish Hatchery Raceway Cover	Epic Engineering	Insp Observ Ser	$8,589	$8,052
8	University Of Utah	University Of Utah legacy Bridge Honors Student Housing topographic Survey Services	Bush & Gudgell, Ing	Site Survey	$6,000	$5,900
9	Alcoholic	Dabc Heber City Liquor & Wine Store Inspections	Epic Engineering	Insp Observ Ser	$40,000	$10,739

State of Utah

Division of Facilities and Construction Management

Construction Contracts Awarded

Contract Type = C;Award Date >= 11/12/2009; and less than 12/16/2009

#	Agency	Contract Name	Firm	Type	Budget	Award
	Construction					
1	Courts	New Ogden Juvenile Courts Site hone Oil Company Property contaminated Soils Excavation	Ce Butters Realty And Construction	Const Site Imp	$150,000	$124,750
2	Ogden/weber Atc	O/w Atc Children's Center Electrical Upgrades	Patriot Construction	Const Remodel	$211,700	$68,150
3	Corrections - Draper	Dept Of Corrections - Draper Prison timpanogos Iii Facility - Security Upgrade	Utah Correctional Industries	Const Site Imp	$25,663	$14,700
4	Dfcm - Managed Buildings	Dfcm - Ogden Regional Center elevator Modernization	J L Hardy Construction Corp	Const Remodel	$865,800	$449,130
5	Developmental Center	Utah State Developmental Center raintree Residence Remodel - Foundation Drainage	Esp Excavation Inc	Const Remodel	$80,000	$78,743
6	Tax Commission	Utah State Tax Commission exterior Stucco Repair	Rueckert Construction Company	Const Remodel	$25,259	$14,792
7	University Of Utah	University Of Utah university Neuropsychiatric Institute expansion Cmgc	Okland Construction Company, Inc.	Const New Space	$35,190,000	$56,034
8	Dept Of Transportation	Udot Tie Fork Visitor Center	Cameron Construction	Const New Space	$1,900,000	$1,859,375
9	Utah State University	Usu College Of Agriculture	Jacobsen Construction	Const Remodel		$60,000
10	Alcoholic Beverage Contrl	Department Of Alcoholic Beverage Control asrs Expansion/warehouse Remodel - Cmgc	Jacobsen Construction	Const New Space	$14,724,008	$40,000

State of Utah

Division of Facilities and Construction Management

Construction Contracts Awarded

Contract Type = C;Award Date >= 11/12/2009; and less than 12/16/2009

#	Agency	Contract Name	Firm	Type	Budget	Award
	Construction					AIM
11	Alcoholic Beverage Contrl	Dept Of Alcoholic Beverage Control new Holladay Liquor And Wine Store	Jacobsen Construction	Const New Space	$2,242,390	$1,227,500
	Design/Build					AIM
12	Dnr - Wildlife Resources	Division Of Wildlife Resources great Basin Research Center seed Warehouse Expansion	Benstog Construction Corp	Design Build	$800,000	$793,000
	Miscellaneous Construction					AIM
13	Utah Valley University	Uvu Waterline Replacement	B.d. Bush Excavation Inc	Paving	$164,116	$68,538
14	Agriculture	William Spry Ag. Storage Bldg. Reroof	Utah Correctional Industries	Roofing	$22,838	$11,000
15	Dept Of Transportation	Richmond Maint Station Roofing Repairs	Island Heights Construction	Roofing	$13,532	$30,000
16	Dnr - Parks & Recreation	Sand Hollow State Park Pwc Parking Lot Expansion	Sunroc Corporation	Paving	$160,000	$157,226
17	State Hospital	Ush Warehouse Roofing Improvements	Warburtons Inc	Roofing	$16,828	$14,678
18	Salt Lake Comm College	Salt Lake Community College redwood Road Campus - Compressor Replacement	Khi Mechanical	Mechanical	$85,780	$88,438
19	College Of Eastern Utah	College Of Eastern Utah bdac Building - Mechanical Retrofit	Western States Mechanical	Mechanical	$209,258	$209,258

State of Utah

Division of Facilities and Construction Management

Construction Contracts Awarded

Contract Type = C;Award Date >= 12/16/2009; and less than 01/06/2010

#	Agency	Contract Name	Firm	Type	Budget	Award
	Construction					AIM
1	Dnr - Wildlife Resources	Dwr Springville Fish Hatchery Raceway Cover	Cameron Construction	Const Remodel	$1,200,000	$1,175,298
	Design/Build					AIM
2	Ogden/weber Atc	O/w Atc Health Technology Bldg.	Okland Construction Company, Inc.	Design Build	$18,000,000	$18,000,000
	Miscellaneous Construction					AIM
3	National Guard	Utah National Guard american Fork Armory Upgrade hazardous Materials Abatement	Utah Correctional Industries	Haz Mat Const	$80,000	$79,062
4	Salt Lake Comm College	Salt Lake Community College - South City Campus center For New Media - Asbestos Abatement	Eagle Environmental Inc	Haz Mat Const	$11,000	$10,547
5	Natural Resources	Dnr Administration Building hvac System Renovation Phase 2	Tod R Packer Heating & Air Conditioning	Mechanical	$580,000	$579,600
6	National Guard	Utah National Guard price Armory Upgrade hazardous Materials Abatement	Utah Correctional Industries	Haz Mat Const	$31,000	$30,443

DFCM

Division of Construction and Management
4110 State Office Building Salt Lake City, UT 84144
Telephone (801) 538-3018 Fax (801) 538-3267

Jan-10

REPORT OF CONTINGENCY RESERVE FUND

		PROJECT TITLE	GENERAL STATE FUNDS CURRENT TRANSFERS	TRANSPORTATION FUNDS CURRENT TRANSFERS	TOTAL TRANSFERS FROM CONTINGENCY	% TO CONSTR. BUDGET	PROJECT STATUS	% Complete
		BEGINNING BALANCE	13,091,572.44	8,485.11				
	INCREASES TO CONTINGENCY RESERVE FUND							
	FUNDING							
07183	DNR	Admin Bldg HVAC Renovation	56,680.08	-	192,313.36	5.38%	Construction	48%
09192	Snow	Retrofit From Pneumatic To DDC	41,081.00	-	-	0.00%	Pending	0%
02243	U OF U	Museum Of Natural History	12,332.72	-	103,246.50	0.12%	Construction	24%
09200	Corrections	Draper Boiler Control Upgrades	7,339.00	-	-	0.00%	Pending	0%
09199	Corrections	SLC Centers Fire Sprinkler/Restrooms Repairs	6,484.00	-	-	0.00%	Pending	0%
09202	Corrections	SLC Centers Water Heater Boosters	1,710.00	-	-	0.00%	Pending	0%
09201	Corrections	Draper Uinta V Door Cuff Port Upgrade	840.00	-	-	0.00%	Pending	0%
	OTHER INCREASES							
03215	WSU	Student Union Renovation	51,360.24	-	726,338.76	2.41%	Construction	90%
	DECREASES TO CONTINGENCY RESERVE FUND							
	NEW CONSTRUCTION							
06291	USTAR	UU Neuroscience Research Center	(452,485.00)	-	341,454.30	0.27%	Construction	7%
07268	DFCM	Multi Agency Office Building	(139,022.50)	-	653,889.96	1.20%	Construction	80%
06041	CUCF	New 192 Bed Expansion	(137,297.00)	-	954,305.40	4.64%	Construction	90%
07042	Health	Unified Lab Facility	(134,816.00)	-	706,508.20	2.29%	Construction	83%
08032	UNG	Vernal, Camp Williams, Springville Armories Remodel	(50,083.40)	-	50,083.40	1.47%	Construction	35%
08260	DHS	Purchase Of Libbie Edwards School For Deaf & Blind	(25,913.05)	-	65,790.62	1.44%	Construction	20%
07260	U OF U	Nursing Bldg Renovation Expansion\	(23,338.15)	-	168,568.83	0.75%	Construction	33%
05055	USDC	New Housing Unit	(19,428.20)	-	625,801.55	22.04%	Construction	100%
	REMODELING							
07030	Public Safety	Post Academy Remodel	(49,688.58)	-	215,599.10	8.62%	Construction	78%
09002	DATC	Composite Space Remodel Design	(14,138.00)	-	14,138.00	4.61%	Pending	79%
08211	UDOT	Parley's Canyon Maint Station Replacement	(11,758.33)	-	96,305.56	4.87%	Construction	87%
07354	Corrections	Lone Peak Facility Security Remodel	(7,790.00)	-	84,440.00	2.51%	Construction	46%
08194	USDC	Boiler Replacement/Building Repairs	(6,865.24)	-	6,865.24	0.32%	Construction	30%
08100	SLCC	Rrc Utility Tunnel Piping Runs	(6,140.00)	-	63,811.00	4.34%	Construction	50%
07177	Health	Cannon Bldg Upgrade AHU Fan Airflow	(2,412.00)	-	16,498.00	2.44%	Construction	74%
09173	Snow	Snow South Washburn Bd Chiller Replacement	(972.00)	-	972.00	0.40%	Construction	48%
08066	Courts	Matheson ADA Ramp/Stucco Repairs	(530.32)	-	13,215.86	9.31%	Construction	98%
09216	Public Safety	Taylorsville Bci Public Safety Bldg Improvements	(178.50)	-	178.50	0.10%	Closed	88%
	PLANNING / OTHER							
00000	DFCM	To FY10 DFCM Admin Per 2009 Senate Bill #2 Item #34	(82,300.00)	-	82,300.00	100.00%	dministration	100%
	TOTAL		12,104,243.21	8,485.11				

DFCM

Division of Construction and Management
4110 State Office Building Salt Lake City, UT 84144
Telephone (801) 538-3018 Fax (801) 538-3267

Feb-10

REPORT OF CONTINGENCY RESERVE FUND

		PROJECT TITLE	GENERAL STATE FUNDS CURRENT TRANSFERS	TRANSPORTATION FUNDS CURRENT TRANSFERS	TOTAL TRANSFERS FROM CONTINGENCY	% TO CONSTR. BUDGET	PROJECT STATUS	% Complete
		BEGINNING BALANCE	12,104,243.21	8,485.11				
	INCREASES TO CONTINGENCY RESERVE FUND							
	FUNDING							
09058	Corrections	Draper Oquirrh 5 Mezzanine Replacement	34,161.00	-	-	0.00%	Pending	0%
09056	Corrections	NUCCC Fire Escape/Shower Replacement	27,298.00	-	-	0.00%	Pending	0%
09054	UVU	Various Buildings Electrical Metering	10,103.00	-	-	0.00%	Pending	0%
09060	DWS	Ogden Electrical Eval/Improvements	5,621.00	-	-	0.00%	Pending	0%
09057	Corrections	Draper Olympus Cell Front Replacement	4,381.00	-	-	0.00%	Pending	0%
	DECREASES TO CONTINGENCY RESERVE FUND							
	NEW CONSTRUCTION							
06041	CUCF	New 192 Bed Expansion	(108,697.93)	-	1,063,003.33	5.16%	Construction	90%
07258	Snow	Library/Classroom Building	(77,021.17)	-	428,764.29	2.18%	Construction	50%
08260	DHS	Purchase Of Libbie Edwards School For Deaf & Blind	(7,789.62)	-	73,580.24	1.61%	Construction	20%
	REMODELING							
08194	USDC	Boiler Replacement/Building Repairs	(38,442.75)	-	45,307.99	1.81%	Construction	36%
08100	SLCC	Rrc Utility Tunnel Piping Runs	(14,420.00)	-	78,231.00	8.88%	Construction	83%
08249	UNG	Fort Douglas Museum HVAC Upgrade	(10,842.00)	-	125,812.00	18.03%	Closed	100%
08322	WSU	Information Booth	(1,671.97)	-	20,625.93	10.72%	Construction	98%
09173	Snow	Snow South Washburn Bd Chiller Replacement	(420.00)	-	1,392.00	0.58%	Construction	50%
09068	DWR	Hardware Ranch Install Overhead Door	(112.79)	-	12,802.04	23.28%	Construction	94%
	TOTAL		11,926,388.98	8,485.11				

DFCM

Division of Construction and Management
4110 State Office Building Salt Lake City, UT 84144
Telephone (801) 538-3018 Fax (801) 538-3267

REPORT OF PROJECT RESERVE FUNDS ACTIVITY

Jan-10

PROJECT TITLE	STATE FUNDS	DOT FUNDS	DESCRIPTION	% of Constr. Budget
BEGINNING BALANCE	**9,845,890**	**932,272**		
INCREASES TO PROJECT RESERVE FUND:				
OWATC - Info Tech Electric/HVAC Upgrades	16,138.57		Balance of Construction Budget	4.53%
SLCC - Milller Campus Emergency Generator	9,142.50		Balance of Construction, Inspection & Insurance Bud	6.09%
BATC - North Parking Lot	3,249.79		Balance of Design, Inspection & Insurance Budgets	0.60%
UNG - Ogden Armory Boiler Replacement	2,422.50		Balance of Inspection & Insurance Budgets	0.81%
DWS - Midvale Replace Rooftop Units	1,027.81		Balance of Design, Inspection & Insurance Budgets	0.78%
DECREASES TO PROJECT RESERVE FUND:				
DFCM Administrative Budget	(200,000.00)		Per 2009 Senate Bill #2, Item #34	
ENDING BALANCE	**9,677,871**	**932,272**		

DFCM

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REPORT OF PROJECT RESERVE FUNDS ACTIVITY

Feb-10

PROJECT TITLE	STATE FUNDS	DOT FUNDS	DESCRIPTION	% of Constr. Budget
BEGINNING BALANCE	**9,677,871**	**932,272**		
INCREASES TO PROJECT RESERVE FUND:				
CSNH Clinic Supplemental Heat Panel	2,442.00		Balance of Inspection & Insurance Budgets	1.02%
SUU Heat Plant Catwalk Upgrade/Steam Tunnel Lighting	11,124.00		Balance of Construction, Inspection & Insurance Bud	9.33%
DWR Whiterocks Residence Reconstruct	131.57		Balance of Inspection Budget	0.02%
State Library Chiller Replacement	74,660.00		Balance of Construction, Inspection & Insurance Bud	28.72%
Decker Lake Youth Center Chiller Replacement	1,876.00		Balance of Inspection & Insurance Budgets	0.94%
DECREASES TO PROJECT RESERVE FUND:				
None				
ENDING BALANCE	**9,768,105**	**932,272**		

State Of Utah

Division of Facilities Construction & Management

Gary R. Herbert
Governor
Kimberly Hood
Executive Director
David G. Buxton
Director

Department of Administrative Services
4110 State Office Building
Salt Lake City, Utah 84114
Phone: (801) 538-3430
Fax: (801) 538-3267

Memorandum

To: Utah State Building Board
From: David G. Buxton
Date: January 27, 2010
Subject: Surplus Sale of Ogden Eccles Group Home

Recommendation:

DFCM recommends that the Board approve a declaration of surplus property for the Ogden Eccles Group Home operated by the Department of Human Services, preparatory to its sale on the open market.

Background:

Administrative Rule R23-22-6 generally governs the disposition of real property by DFCM, and specifies that real property may be declared surplus and disposed of by DFCM and the State. DFCM may seek recommendation from the Building Board for a declaration of surplus property:

R23-22-6. Requirements for the Disposition of Real Property by DFCM.

> *In addition to the policy of R23-22-3, it is the policy of this Board to efficiently and economically dispose of real property that is determined by DFCM or the State to be surplus in accordance with State law. In accordance with State law, DFCM may recommend to the Board that certain real property be declared as surplus. After the appropriate determination is made that the real property is surplus, then DFCM shall endeavor to sell the surplus real property on the open market, unless such property is to be conveyed to another State agency or public entity in accordance with Utah law.*

Attachment

January 2010

REQUEST FOR DECLARATION OF SURPLUS PROPERY

DEPARTMENT OF HUMAN SERVICES

ADDRESS: 2522 Eccles Avenue

LOCATION: Ogden

TYPE OF PROPERTY: Single-Family Residence

AMOUNT OF PROPERTY: 3,121 Square Foot Home on a 0.18 acre parcel of land

JUSTIFICATION: The above-noted home, commonly known as the Eccles Group Home, has until recently been in service as a group home for minors under the care and supervision of the Department of Human Services. Recently, DHS contacted DFCM expressing their intent to vacate the building and release it from their use as surplus real property. There is no known current need for the property by another State agency. The home is currently listed as a part of the Eccles Avenue Historic District by the Ogden City Landmarks Commission and the National Register of Historic Places, so DFCM is working with the Utah State Historic Preservation Office to ensure that all requirements are being met regarding the sale of historic real property.