

Utah State Building Board



MEETING

May 23, 2007

MINUTES

Utah State Building Board Members in attendance:

Larry Jardine, Chair
Kerry Casaday, Vice Chair
Steve Bankhead
Cyndi Gilbert
Katherina Holzhauser
Mel Sowerby
Manuel Torres

DFCM and Guests in attendance:

F. Keith Stepan	Division of Facilities Construction & Management
Robert Franson	Division of Facilities Construction & Management
Kent Beers	Division of Facilities Construction & Management
Shannon Elliott	Division of Facilities Construction & Management
Kurt Baxter	Division of Facilities Construction & Management
Bill Bowen	Division of Facilities Construction & Management
Enzo Calfa	Division of Facilities Construction & Management
Joanna Fisher	Division of Facilities Construction & Management
Lynn Hinrichs	Division of Facilities Construction & Management
Alyn Lunceford	Division of Facilities Construction & Management
Dave McKay	Division of Facilities Construction & Management
Matthias Mueller	Division of Facilities Construction & Management
R. Spencer Steenblik	Division of Facilities Construction & Management
William Thornley	Division of Facilities Construction & Management
Alan Bachman	Attorney General's Office/DFCM
Debbie Merrill	Attorney General's Office/DFCM
Kimberly K. Hood	Department of Administrative Services
Kimberlee Willette	Department of Administrative Services
Steve Allred	Legislative Fiscal Analyst's Office
Rich Amon	Governor's Office of Planning and Budget
Scott Jenkins	Senate
Keith Davis	Department of Human Services
Bill Juscak	Department of Transportation
Rick Stock	Architectural Nexus
Pat Gleason	Calder Richards Engineering
Sonya Dinsdale	Dunn Associates

Keri Hammond	EDA Architects
Tony Lords	Henriksen Butler
Barbara Bruno	Herman Miller
Julee Attig	Jacobsen Construction
Christine Coutts	MHTN Architects
RoLynne Hendricks	VCBO Architecture
Mark Spencer	Utah System of Higher Education
Kevin Walthers	College of Eastern Utah
Stan Plewe	Dixie State College of Utah
Gordon Storrs	Salt Lake Community College
David Tanner	Southern Utah University
Randall Funk	University of Utah
Mike Perez	University of Utah
Darrell Hart	Utah State University
Allyson Olsen	Utah State University
Kevin Hansen	Weber State University

On Wednesday, May 23, the Utah State Building Board held a regularly scheduled meeting in W125 State Capitol Complex, Salt Lake City, Utah. Chair Larry Jardine called the meeting to order at 9:00am.

APPROVAL OF MINUTES OF APRIL 11, 2007

Chair Jardine sought a motion on the Building Board meeting minutes of April 11, 2007.

MOTION: Steve Bankhead moved to approve the meeting minutes of April 11. The motion was seconded by Steve Bankhead and passed unanimously.

REINSTATEMENT OF BUILDING BOARD MEMBERS

In May 2007 the appointments of Cyndi Gilbert, Katherina Holzhauser and Steve Bankhead expired requiring their terms to be reinstated. All agreed to serve another four year term and have been approved by Governor Jon M. Huntsman to serve until May 2011.

During the reappointment process, DFCM found the other Board members had not been sworn in properly as required. Joanna Fisher read the Oath of Office to the Board which were then signed and notarized by Ms. Fisher. Kim Hood recognized each of the three members with a Certificate of Appreciation.

Chair Jardine sought a resolution recognizing the three Board members for their service.

MOTION: Manuel Torres moved to approve the resolution. The motion was seconded by Kerry Casaday and passed unanimously.

Chair Jardine recognized Keith Stepan's contribution and the things he has done for DFCM and the State of Utah. He thought it was evident that the State recognizes that as well. He

mentioned Keith had received an honorary doctorate degree at the College of Eastern Utah.

MOTION: Steve Bankhead moved to recognize Keith Stepan for his contributions to DFCM and the Building Board. The motion was seconded by Kerry Casaday and passed unanimously.

Chair Jardine recognized Gregg Buxton as the new director of DFCM. He felt a large part of the success of DFCM and the Building Board is due to Mr. Buxton's work with the Capital Facilities and Government Operations Subcommittee. Chair Jardine sought another resolution recognizing Gregg Buxton for his contribution as a member of the House of Representatives and the goals, objectives and facility needs outlined by the Building Board during the 2007 legislative session

MOTION: Mel Sowerby moved the resolution. The motion was seconded by Kerry Casaday and passed unanimously.

☐ FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATIONS FOR RULES R23-1 AND R23-19.....

Alan Bachman stated Rules R23-1 and R23-19 were going to expire this year unless DFCM filed a renewal with the Division of Administrative Rules. Rule R23-1 deals with procurement of construction. R23-19 addresses the Facility Use Rule. DFCM is in the process of amending the Facility Use Rule, however DFCM would like to be authorized to file the statement with the Division of Administrative Rules that says that these rules can continue for the next five years, otherwise the rules expire.

Mr. Bachman introduced Debbie Merrill, Paralegal from the Attorney General's Office who is assigned to DFCM. She helped work on the Administrative Rule updates. She is going to be going through all of the rules DFCM has at this point in time to make sure they all get updated.

Mr. Bachman asked for the Board to authorize the filing of the renewal statements on Rules R23-1 and R23-19.

MOTION: Cyndi Gilbert moved to authorize the filing of the five year notice of review and statement of continuations for Rules R23-1 and R23-19. The motion was seconded by Katherina Holzhauser and passed unanimously.

☐ DFCM'S PROPOSAL TO STANDARDIZE STATE BUILDING PLAQUES.....

DFCM requested that the Building Board approve the Standard Building Plaque Policy as an attempt to standardize the state building plaques recognizing those who contributed to the project. Keith Stepan asked the Building Board to give consideration to the standard

design outlined describing the purpose, procedures and the size. Space for a seal will also be provided for those buildings meeting the requirements of DFCM's High Performance Building Standard. The DFCM Director will be given the ability to grant variations from the standard to provide flexibility that may be required for some unique buildings. Those variations would not be required to be brought before the Board.

MOTION: Steve Bankhead moved to approve the proposed Standard Building Plaque Policy. The motion was seconded by Cyndi Gilbert and passed unanimously.

☐ CAPITAL DEVELOPMENT DESIGN AND CONSTRUCTION STATUS REPORT

DFCM outlined a report previously presented to the Capital Facilities and Government Operations Appropriations Subcommittee at the interim session on May 16. The report was prepared per the Subcommittee's request for an annual report on the status of the construction projects.

The report tracked capital development appropriations for state funding and other funding from the 2004 session through the 2007 session, and provided the current project status. The 2007 report indicated DFCM received \$280 million for Capital Development projects of which most were in the programming or design phase. Capital Improvement funding was received at 1.1%. DFCM currently has \$1.2 billion underway for design and construction.

Keith Stepan there is an increasing need for office space, especially at the State Office Building, Cannon Health Building and the Human Services Building.

Robert Franson introduced the Capital Development staff which is managed by Lynn Hinrichs and included Dave McKay, Matthias Mueller, Enzo Calfa, Will Thornley, Bill Bowen, and Kurt Baxter. Lyle Knudsen was not in attendance.

Mr. Franson referred to the scoreboard itemizing the program director, the projects managed by them, and the amount of money involved in the project. A comparison of DFCM's project costs versus the industry standard represented in the Means catalogue was identified. Currently DFCM is 3.5 to 3.6% under the industry standard as weighted and adjusted to the Wasatch Front.

Chair Jardine recognized the Capital Development staff's efforts and thanked them for working so efficiently.

☐ DEPARTMENT OF CORRECTIONS REQUEST FOR NEW PRISON LOCATION STUDY.....

DFCM recommended that the Building Board approve a request from the Utah State Department of Corrections to spend \$300,000 on a study to determine the location for a

future new prison facility. This would be a third site along with the Draper Prison and the Gunnison facility.

Greg Peay, Department of Corrections, stated the Department of Corrections sought to receive approval from the Building Board to proceed with the third site study using UDC funds. The Draper facility is stagnant in regards to any future development, and the Gunnison facility allows for little expansion due to the lack of land.

Governor Huntsman previously asked the Legislature to fund a Draper Relocation Study to determine if the property could be sold and a new facility could be constructed with the funds from the sale. This proved not to be a feasible option as it would be a considerable cost to the taxpayers for the demolition and reconstruction. The other recommendation was that the Draper Prison would relocate through attrition and no further construction of housing units would be performed. Three sites were identified from the Governor's study including one was in Box Elder County just west of Brigham City, another between Nephi and Mona, and a location in Rush Valley. The study found the most economical site was in Rush Valley due to the resources available in that location, lower operational costs, and the ability to draw the workforce from Tooele, Salt Lake and Utah Counties.

The goal of the third site study is to identify available state lands best suited for a prison. Site tests would help determine the ground water situation, soil contamination and possibilities for utility location. Geothermal and wind resources would also be researched to help curb operational costs. The study would also help obtain a cost estimate to develop a 6000 bed prison, the cost to deliver the utilities, the cost escalation projections for the remote operations, and the cost savings or costs for being self sustained in both water and sewer. Remote location staffing costs will also be addressed.

Corrections asked for an evaluation and comparison between the third site and continuing Draper and Gunnison site expansion, but it has not been agreed upon by the Governor. An evaluation will be done to determine the cost or savings to taxpayers to further develop the 300 acres potentially available at the Draper site. Corrections will perform master planning for the third site and for remaining property at CUCF and Draper sites.

If State lands are not available in the Rush Valley area, Corrections will ask the study group to determine the best property available and obtaining a right to purchase agreement with the property owner with an expiration date of 2015. This will allow enough time to obtain legislative approval, perform planning and begin to prepare for construction.

The \$300,000 for the study was SCAP funds which are received from federal programs such as INS for the housing of illegal immigrants or federal prisoners in transition to incarceration at a federal facility.

Mr. Peay stated that if it is determined that the build-out at the Draper facility should continue, the study will not happen because the projections will become outdated prior to construction. The Executive Director of Corrections and the Governor's office will hold discussions to determine the feasibility of building-out at Draper. If the study is not

conducted, the \$300,000 will go back into Corrections reserves to be utilized in operations. Should eventual construction money be allocated, the \$300,000 would be refunded back to Corrections.

Kerry Casaday questioned the possibility of using the Oxbow facility. Greg Peay responded that the Court's conditional use permits did not allow for the incarceration of felons at the facility, or for intake or release of inmates.

MOTION: Kerry Casaday moved to approve allocate the \$300,000 to the Department of Corrections for the study. The motion was seconded by Cyndi Gilbert.

Kent Beers thought it would be unwise to do a carte blanche approval to do a study, and asked for the motion to include the locations identified by Corrections and for imminent build-out to begin by 2015. If it is determined between the Executive Director and the Governor not to seek a third site and build-out Draper instead, the study would be useless.

Kerry Casaday withdrew his motion.

Steve Bankhead felt the Board should support the study by requesting it to be done.

Kerry Casaday asked if the relocation study identified the alternate locations. Greg Peay responded part of the deliverables of the study was to identify the best sites to relocate the prison, and the best use of the remaining property once the prison was gone and how the land use would most benefit the state. The recommendation of the relocation study was not to expand the prison and to use it for development purposes. No further construction of housing will be approved by Governor Huntsman, but support structures are permissible. The Governor's office asked Corrections to demarcate a line through the property in order to identify how many acres are available for development which has been surveyed and recorded with DFCM.

MOTION: Kerry Casaday moved that the \$300,000 for the third site specific study be approved and with that a recommendation from the Board to perform the study. The motion was seconded by Cyndi Gilbert and passed unanimously.

☐ LONG TERM LEASE ON BEHALF OF THE DEPARTMENT OF TECHNOLOGY SERVICES.....

Alyn Lunceford requested approval for a ten year lease for antenna and rack space in a building currently controlled by the Jordan Valley Conservancy District. DTS wished to locate their existing antennas and racks at existing facilities in order to maximize utilization and minimize costs. This is a request for a renewal of their current lease which is \$2500 per year.

MOTION: Mel Sowerby moved to approve the renewal of the ten year site lease. The motion was seconded by Katherina Holzhauser and passed unanimously.

☐ WEBER STATE UNIVERSITY DAVIS CAMPUS PROGRAMMING REQUEST

Kevin Hansen, Weber State University, stated they have seen extraordinary growth at the Davis campus over the last four years. This is due to their central location and the exceptional growth in their graduate and masters programs, some of which are being housed at the Davis campus.

Adding to the growth, WSU has negotiated a lease, and construction has begun to prepare the site for the Northern Utah Academy of Math, Engineering and Sciences (NUAMES) charter high school. It is a 500 student charter high school dedicated to preparing students to matriculate to college in math, engineering, and sciences. This summer 12 trailers will be located to support the NUAMES School until a permanent facility is built. They will build the facility jointly with NUAMES and asked that it be accelerated in the WSU master plan by one year. This project would include an 112,000sf facility, as well as a new central plant for heating and chilled water.

WSU asked the Board to approve an opportunity to proceed with programming the new facility and central plant.

Mel Sowerby asked where the money came from for NUAMES. Steve Allred stated charter schools receive their money from school districts through the state and NUAMES operates out of Davis School District. Kevin Hansen added that the 12 new classrooms at the NAUMES facility will be used by NUAMES in the day and WSU at night, but the property would be owned by Weber State University and leased to NUAMES for five years.

MOTION: Steve Bankhead moved to approve programming for the second building at Weber State University Davis campus.

MOTION: Katherina Holzhauser moved to approve programming for the second building at Weber State University Davis campus with the note that it is not a guarantee that the Building Board would refund the planning dollars. The motion was seconded by Cyndi Gilbert and passed unanimously.

☐ DIXIE STATE COLLEGE BLEACHER SYSTEM PROJECT DELEGATION

DFCM recommended that the Building Board grant delegation authority to Dixie State College to proceed with replacing the visitor's team bleacher system at the football stadium. The old metal bleachers will be removed and replaced with a new bleacher system that will include 4,000 seats, aisles, handrails, and necessary stairways.

Stan Plewe stated DSC currently has a commitment letter of almost a half a million dollars which would be used to build approximately 2000 seats. The other seats would be built as other dollars became available.

Keith Stepan stated that the budget estimate is \$1 million. Mr. Plewe has indicated that it could be partially built, but would require approval from the Commissioner's office. They also required \$1 million delegation approval of the project as they do not currently have delegation authority.

MOTION: Cyndi Gilbert moved approval to grant delegation authority to Dixie State College to proceed with replacement of the visitor's team bleacher system at the football stadium and as their funds would necessitate with ultimate approval by the Commissioner's office. The motion was seconded by Katherina Holzhauser and approved unanimously.

☐ UNIVERSITY OF UTAH HOSPITAL OPERATING ROOM BUDGET

Keith Stepan stated there is a project underway at the University of Utah Hospital which required additional operating rooms at a cost of \$5.4 million. Special delegation was required as it was above the University's \$5 million delegation limit. The current architect is Architectural Nexus and the contractor is Layton Construction. Both DFCM and the University felt the project was too large to sole source a change order.

Steve Allred stated the statute did not require legislative approval because new space is not being added, nor are state funds being used. The statute grants exception if no funds are used for construction, design or future O&M, or if it is a remodel of an existing facility with non-state funds.

MOTION: Mel Sowerby moved to grant authority to the University for delegation of the project up to \$5.4 million. The motion was seconded by Cyndi Gilbert and passed unanimously.

☐ ADMINISTRATIVE REPORTS FOR UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY

Randall Funk, University of Utah, provided the administrative report for the period of March 23 to May 4, 2007. There were three design agreements, three programming agreements, three remodeling contracts, and two site improvement contracts. There was one transfer out of the contingency reserve fund for a change order on the EMRL project. There was one transfer that decreased the project reserve fund to create pedestrian access on the extreme upper end of campus by Red Butte Gardens that came in over the bid amount.

MOTION: Cyndi Gilbert moved to approve the administrative report of the University of Utah. The motion was seconded by Katherina Holzhauser and passed unanimously.

Darrell Hart, Utah State University, provided the administrative report for the period of March 21 to May 2, 2007. There were seven professional contracts and 28 construction contracts issued for the period.

The Old Main Hill Landscaping project bid was \$14,333 over budget. Funds to cover the project were taken out of the Project Reserve Fund.

The current delegated project list indicated 65 projects of which 15 are in design study, 33 are in construction, eight are substantially complete, five are complete and four are pending.

MOTION: Steve Bankhead moved to accept the administrative report for Utah State University. The motion was seconded by Mel Sowerby and passed unanimously.

Darrell Hart announced that the Higher Ed Facilities Officers Association has accepted USU as an institution to receive their award of excellence.

☐ REALLOCATION OF USU CAPITAL IMPROVEMENT FUNDS

USU requested approval to reallocate \$41,900 from the FY 2007 SER Chiller/Steam/Condensate Replacement project and \$46,588 from the FY 2007 Ray B. West Women's Restroom Remodel project to replace ceiling tiles at the Kent Concert Hall. Since the combination of projects is over \$50,000, DFCM determined it would be best to request reallocation from the Board.

MOTION: Mel Sowerby moved to approve the reallocation of capital improvement funds for USU. The motion was seconded by Steve Bankhead and passed unanimously.

☐ REALLOCATION OF UDOT'S FY 2008 CAPITAL IMPROVEMENT FUNDS

DFCM recommended that the Building Board reallocate \$206,899 from the FY 2008 UDOT Greendale Maintenance Station Demolition/Reconstruction project to the FY 2007 Tooele Maintenance Station Demolition/Reconstruction project.

Kent Beers explained the Tooele project was approved two years ago by the Building Board and the project recently bid \$206,899 over budget. UDOT proposed transferring money from the Greendale project in order to award the bid to the Tooele project. The Greendale project will continue to design and will bid some time this summer. If the

Greendale project bids over budget, UDOT will provide the additional funding with their transportation fund dollars.

MOTION: Cyndi Gilbert moved approval of the reallocation for UDOT.

Keith Stepan explained the money for both projects is capital improvement money that has already been approved by the Board; however, the Greendale project has been determined to be overestimated. Taking the funds from one project to another will allow both projects to be funded out of capital improvement money, and Greendale can proceed without any further delay.

The motion was seconded by Steve Bankhead and passed unanimously.

ADMINISTRATIVE REPORTS FOR DFCM

Kent Beers provided the administrative report for DFCM from March 22 to May 2, 2007. There were 15 architect/engineering agreements and 20 construction contracts issued during the period.

There was a decrease to the contingency reserve fund in the amount of \$123,882.09 for the University of Utah Marriott Library Renovation. There was also a transfer in the amount of \$78,117.32 to the University of Utah Warnock Engineering Building.

The capital development tours will be held on August 20 and 21. The Board will tour with the Capital Facilities and Government Operation Subcommittee.

OTHER

Keith Stepan referred to the handout with a group of buildings identified as at-risk buildings annually identified by DFCM. These buildings are at risk for safety or they are structurally deficient.

Kim Hood highlighted the tour of the Carriage House that would be taking place on June 20 with the Capital Facilities and Government Operations Subcommittee. She asked for all of the Building Board to attend as the Carriage House project is expected to be submitted as a capital development project.

ADJOURNMENT

MOTION: Kerry Casaday moved to adjourn at 11:05 am. The motion was seconded by Cyndi Gilbert and passed unanimously.