

Utah State Building Board



MEETING

June 24, 2009

MINUTES

Utah State Building Board Members in attendance:

Larry Jardine, Chair
Kerry Casaday, Vice-Chair
Steve Bankhead
Wilbern McDougal
Mel Sowerby
Manuel Torres

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
Lynn Hinrichs	Division of Facilities Construction & Management
John Harrington	Division of Facilities Construction & Management
Jeff Wrigley	Division of Facilities Construction & Management
LaPriel Dye	Division of Facilities Construction & Management/AGO
Andrew Cushing	Attorney General's Office
Keith Davis	Department of Human Services
Alyn Lunceford	Courts
John McNary	University of Utah
Ken Nye	University of Utah
Ben Berrett	Utah State University
Darrell Hart	Utah State University
Troy Caserta	Utah System of Higher Education
Greg Stauffer	Utah System of Higher Education
Jim Michaelis	Utah Valley University
Kevin Hansen	Weber State University
Sarah Parris	BNA Consulting
Jennifer Sasich	MHTN Architects
George Daines	General Public
Sheila Gelman	General Public

On Wednesday, June 24, the Utah State Building Board held a regularly scheduled meeting at the Utah State Capitol, Room 445, Salt Lake City, Utah. Chair Larry Jardine called the meeting to order at 9:00am.

APPROVAL OF MINUTES OF MAY 21, 2009

Chair Jardine sought a motion on the minutes of May 21, 2009.

MOTION: Manuel Torres moved to approve the minutes of the May 21 meeting. The motion was seconded by Steve Bankhead and passed unanimously.

EMERGENCY RULE AND REGULAR RULE FOR HEALTH REFORM.....

Andrew Cushing stated HB331 required all state contracts over \$1.5 million and all subcontracts over \$750,000 to include a requirement to provide health insurance to all contractors and their dependents. The proposed rule is an attempt to provide guidance to those to which this will be applicable.

Steven Bankhead questioned if there had been any input or studies as to the financial impact of the bill would be to the state in terms of higher bids. Andrew Cushing responded that several state entities had coordinated together to develop a bill that is somewhat uniform and standard, but they had not solicited input on the financial impact. However, input was also provided by the AGC and the ACED.

Andrew Cushing explained that approval of an emergency rule was being sought as statute requires the requirement to be put into place by July 1. This will provide DFCM 120 days to further clarify the rule before implementing it.

Darrell Hart, USU, expressed disdain for the bill and felt it would be detrimental to small contractors who do small projects. Larry Jardine, Chair, also felt it would be a tremendous impact to subcontractors, which would also impact the main contractors. He was also concerned with how the contractors could ensure that the subcontractors would comply and the enforcement of violators.

Andrew Cushing felt a real issue with the bill was related to the private cause of action. It would allow employees to take a private cause of action against their employer if they did not feel they were offered the proper level of insurance.

Steve Bankhead stated there were serious implications involved for the contractors and the State as many subcontractors would just not bid state work in the future. This will increase prices as there will only be a very limited pool of higher priced, more sophisticated contractors who vie for state work.

Cyndi Gilbert asked if there were any ramifications if the Building Board chose not to pass the rule. Andrew Cushing responded that it would be a violation of state law and stop state contracts from proceeding.

Wilbern McDougal what the cost was going to be to the state of Utah and the taxpayers. He felt they ought to let the taxpayers know it will cost more. Andrew Cushing responded that no studies had been done, but the legislature had been informed of the cost implications.

MOTION: Steve Bankhead moved to recommend adoption of this rule but that the consequences of this rule and of the proposed legislation are serious. The motion was seconded by Manuel Torres and passed unanimously.

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

Jeff Wrigley, DFCM, stated there were two applications before the Board to be funded by the revolving loan State Facility Energy Efficiency Fund.

The Utah State University Lighting Retrofit Project consists of eight different buildings and a campus wide exit sign. The total energy savings was for slightly over 1 million kW and a cost savings of \$64,700. The project will be funded entirely by the Energy Efficiency Fund. No incentives are available to match the projects since the campus is on Logan City power, but payback is expected within five years.

MOTION: Cyndi Gilbert moved to approve the Utah State University Lighting Retrofit Project. The motion was seconded by Mel Sowerby and passed unanimously.

The Department of Transportation request included the Murray maintenance station and the Wanship maintenance station. The combined total cost of the project would be \$8,285, with an annual energy savings of just under 30,000 kW and a cost savings of \$2,046. Murray City does not offer incentives, however the Wanship station was in Rocky Mountain Power territory and the incentive would cover the cost of both stations.

MOTION: Wilbern McDougal moved to approve the Department of Transportation, Murray and Wanship Stations Lighting Retrofit. The motion was seconded by Steve Bankhead and passed unanimously.

☐ REQUEST FOR DESIGN OF THE FIRST PHASE OF THE WEBER STATE UNIVERSITY RESIDENTIAL MASTER PLAN

Kevin Hansen, Weber State University, presented a master plan to allow the campus population to approximately 1000 bed spaces. Recently the LaSalle, Stansbury, and Wasatch Halls have been put back into service due to the demand for student housing.

They currently have about 475 beds in the University Village, which is the newest housing area. WSU hopes to increase the housing density on campus to allow for more student life, student activity, and more campus activities throughout the week.

Weber State University is primarily a commuter campus with approximately 22,000 students registered but only 500-600 live on campus. In order to make the strategic vision work, they have to improve and change the room options that they are providing to their students. Most of the dormitories were built back in the 1960s and the current set up is not attractive to students. Therefore, WSU would like to provide different options for students and give them a greater choice to make it much more attractive.

Approximately three years ago, WSU did a seismic and structural evaluation on Promontory Tower to determine if it would be cheaper to make it seismically safe or rebuild the 11 story structure. WSU found that Promontory Tower is seismically the highest risk building on campus. It does not have a fire sprinkler system and the Wasatch Fault is approximately 300 feet from the building. At that time, it was determined it would be more economical to tear the building down and rebuild.

Wasatch Hall was built in 1964 with 228 bed spaces in its original configuration. Extensive retrofit is required for electrical and mechanical, but the building structure is sound. The total renovation will cost approximately \$11 million, with construction costing slightly over \$8 million. WSU proposes renovating the building into different room configurations that are more marketable to students. Once Wasatch Hall is complete, WSU would tear down LaSalle, Stansbury and Promontory and rebuild the entire area to create a community center for the student residents.

WSU will use housing reserves to fund the design and will request revenue bonds for construction from the Legislature. Phase I construction is anticipated to being in the spring of 2010.

MOTION: Wilbern McDougal moved to approve the request from Weber State University to proceed with the design of the first phase of the new housing master plan. The motion was seconded by Manuel Torres and passed unanimously.

☐ REALLOCATION OF DEPARTMENT OF HUMAN SERVICES CAPITAL IMPROVEMENT FUNDS.....

DFCM recommended that the Building Board approve the request to transfer funds from an FY2010 capital improvement projects to the Decker Lake Emergency Chiller Replacement (\$211,300), Utah State Hospital Tunnel Pipe Support Brackets (\$60,000), and Utah State Hospital Swimming Pool Repairs (\$40,100). The original project allocation of \$311,400 was for the Blanding paving project which was later discovered to not be owned by the state.

MOTION: Cyndi Gilbert moved to approve the reallocation of capital improvement funds. The motion was seconded by Steve Bankhead and passed unanimously.

☐ REALLOCATION OF UTAH VALLEY UNIVERSITY CAPITAL IMPROVEMENT FUNDS

DFCM recommended that the Building Board review the request for Utah Valley University to reallocate FY2010 funds to an immediate repair of two campus chillers. One chiller is currently broken down and the other needs to be upgraded. The total cost of the repair and upgrade is \$174,166.00. UVU requested to reallocate \$181,700 from the repair of the two stairways in the courtyard to the repair of the chillers.

MOTION: Steve Bankhead moved to approve the reallocation for Utah Valley University. The motion was seconded by Mel Sowerby and passed unanimously.

☐ ADMINISTRATIVE REPORT FOR UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY

Ken Nye, University of Utah, provided the administrative report for the period of May 1 to June 5, 2009. There were six design agreements, one programming/planning agreement, two study/other agreements, and four remodeling contracts awarded during the period.

The design agreement for the EMRL Meldrum Building Auditorium was awarded for \$296,054 directly to Paul D. Brown Architects as required by the donor.

There were three additions to the Project Reserve fund. Each increase consisted of transferring the remaining balance in capital to protect the reserve as the project was completed.

The Contingency Reserve quarterly report reflected the cumulative amounts of draws of contingency that had taken place in the projects from their inception.

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

Ben Berrett, Utah State University, provided the administrative report for the period of April 29 to June 3, 2009. There were three professional contracts and six construction contracts awarded for the period.

The \$56,929.90 change order on the CEP Chillers project was to correct omissions from the design including the addition of a cable tray and electrical panel in the node, raising a tunnel lid, and adding a steam trap.

The Tippetts Gallery Lighting/HVAC project had the scope of work changed. The original intent was to put a stand alone HVAC unit on the Tippetts Gallery, which turned out not to be possible due to the mechanical access on the roof and the location of the existing mechanical room. The existing system had to be upgraded which required \$126,595 from the Project Reserve Fund.

There have been twelve contracts closed, 28 are in progress, and seven new contracts have been issued since the last quarterly report.

MOTION: Manuel Torres moved to approve the administrative report of Utah State University. The motion was seconded by Mel Sowerby and passed unanimously.

ADMINISTRATIVE REPORT FOR DFCM.....

Kurt Baxter provided the administrative report for DFCM for the period of April 28 to June 12, 2009. There were 20 architect/engineering agreements and 20 construction contracts awarded for the period.

The DJJS Decker Lake Facility Chiller Replacement was handled through the invitational bid process although it was over \$100,000. An accelerated schedule was also approved.

Change orders occurred at the Multi Agency Office Building in the amount of \$117,126. Two change orders in the amount of \$91,904 occurred at the St. George New Courthouse, and five change orders occurred at the UBATC Vernal Branch Building in the amount of \$61,446.

OTHER

Gregg Buxton thanked the departing Board members for their service and distributed plaques to Kerry Casaday, Larry Jardine and Manuel Torres. All had served two terms as Building Board members.

ADJOURNMENT

MOTION: Mel Sowerby moved to adjourn the meeting. The motion was seconded by Wilbern McDougal and passed unanimously.

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