

# Utah State Building Board



MEETING

June 25, 2008

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## **MINUTES**

### **Utah State Building Board Members in attendance:**

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

### **DFCM and Guests in attendance:**

Gregg Buxton	Division of Facilities Construction & Management
Kent Beers	Division of Facilities Construction & Management
Shannon Elliott	Division of Facilities Construction & Management
Dana Edwards	Division of Facilities Construction & Management
Kimberlee Willette	Governor's Office of Planning and Budget
Tom Patterson	Department of Corrections
Greg Peay	Department of Corrections
Robyn Peason	Department of Natural Resources
Mike Styler	Department of Natural Resources
Andrew Carlino	Utah State Fair
Bob Askerlund	Salt Lake Community College
John McNary	University of Utah
Ken Nye	University of Utah
Michael G. Perez	University of Utah
Ben Berrett	Utah State University
Darrell Hart	Utah State University
Chris Coutts	Architectural Nexus
Brady Stout	Ascent Construction
Sarah Parris	BNA Consulting
Pat Gleason	Calder Richards Engineering
Rick Stock	Dunn Associates
Lyndy Lovelady	Eaton Architecture
Starr Fagergren	EDA Architects
Keri Hammond	EDA Architects
Julee Attig	Henriksen/Butler
Barbara Bruno	Herman Miller
Jackie McGill	Spectrum Engineers

Linda Hone  
James Van Rosendaal

Van Boerum and Frank  
VCBO Architecture

On Wednesday, June 25, 2008, the Utah State Building Board held a regularly scheduled meeting in C445 of the Utah State Capitol, Salt Lake City, Utah. Chair Larry Jardine called the meeting to order at 9:00am.

**APPROVAL OF MINUTES OF APRIL 9, 2008 .....**

Chair Jardine sought a motion on the minutes of the April 9, 2008, meeting.

Steve Bankhead expressed concern with the approval of the Governor's Mansion Carriage House as a Capital Improvement project. He thought the \$2 million could be better spent on another project and the Governor could raise private donations for the Carriage House.

**MOTION: Steve Bankhead moved to approve the minutes of the April 9 meeting. The motion was seconded by Kerry Casaday and passed unanimously.**

**RENAMING OF DEPARTMENT OF CORRECTIONS BUILDING IN HONOR OF FALLEN OFFICER .....**

Tom Patterson, Executive Director of the Department of Corrections, recognized the one year anniversary of the death of Officer Stephen Anderson who was killed in the line of duty while transporting an inmate. Mr. Anderson was a remarkable man who has been remembered by his family, co-workers, and the inmates he supervised. He was a compelling officer who gave everything he had for the state, community, and department. He was also honored for treating offenders fairly.

The Department of Corrections requested permission to name the Warden's Administration Building at the Draper Prison after Officer Stephen Anderson. They wished to honor Mr. Anderson's legacy, as well as set a pattern for the rest of the organization for balance, fairness, focusing on community safety, as well as hope that offenders succeed. Mr. Patterson felt it was important to remember the legacy the officers leave as they give their lives serving the state.

**MOTION: Wilbern McDougal moved to allow Corrections to rededicate the Warden's Administration Building at the Draper Prison after Officer Stephen Anderson. The motion was seconded by Kerry Casaday and passed unanimously.**

Chair Jardine made a formal introduction of newly appointed Board member Wilbern McDougal. Mr. McDougal has resided in Utah for over 60 years and has been heavily involved in real estate for the last 50 years. As a general contractor, he has built approximately 700 homes over the years.

**❑ RULES FOR THE ACQUISITION AND DISPOSITION OF REAL PROPERTY.....**

Alan Bachman introduced LaPriel Dye as his new paralegal with the Attorney General's office.

Mr. Bachman distributed the rules for the Acquisition and Disposition of Real Property and the request for the rule to be adopted by emergency. At the last session, the Legislature passed the statute requiring DFCM to determine the process of appraisals before buying, selling, or exchanging property, and placing a moratorium until the rule was effective. The emergency rule adoption would allow the rule to become effective immediately and allow DFCM to buy, sell, and exchange property.

DFCM also requested that if the Board adopted the emergency rule to be in place for 120 days, they also allow DFCM to file the regular rule as well. After the 30 day public comment period, DFCM would return to the Board if any negative comments were received.

**MOTION: Steve Bankhead moved to approve the emergency rule 63A-5-401 for the Acquisition and Disposition of Real Property. The motion was seconded by Kerry Casaday and passed unanimously.**

Steve Bankhead suggested Wilbern McDougal and Mel Sowerby review the rule prior to final approval due to their real estate backgrounds. Mr. Bachman agreed to file the rule and allow for a 30 day comment period and return to the Board prior to final approval.

**MOTION: Steve Bankhead moved to allow DFCM to file the rule and return to the Board after the 30 day comment period. The motion was seconded by Manuel Torres and passed unanimously.**

**❑ LONG-TERM LEASE APPROVAL FOR DNR (DWR) BUILDING AT QUAIL CREEK .....**

DFCM recommended that the Building Board consider a request from the Department of Natural Resources (DNR), Division of Wildlife Resources (DWR) to enter into a long-term lease at Quail Creek. The leased building will house state workers from DWR, DNR, Water Rights and Washington County Water Conservancy District.

The project was brought to the Board for approval in March of 2008 with the hope that an exception from legislative approval granted to Higher Education in Utah Code 63A-5-104(3)(b) could be extended to state agencies. Legislative Research and General Council reviewed this issue and determined that the exception could not be extended to state agencies. As a result, Washington County Water Conservancy District will construct the facility and DNR will lease it for 50 years.

DNR operates the Virgin River Recovery Program in St. George along with the US Fish and

Wildlife Service, Washington County Water Conservancy District and Washington County. Together they run a \$2 million a year program with DNR contributing 1/3 of the cost. The program allows the water out of the Virgin River to continue to be used by monitoring the endangered species of fish in the river. The leased building that houses the 15 biologists is very inadequate and the landlord has encouraged them to relocate.

The Washington County Water Conservancy District owns the land around Quail Creek Reservoir and offered to build a building to house the joint employees. Mike Styler, DNR, sought permission to allow the Washington County Conservancy District to build and own the building and contribute the lease as their share of the Virgin River Recovery Program.

Steve Bankhead asked about their current contribution and if this contribution would be in lieu of other expenses currently being funded by them. Mr. Styler responded the Washington County Conservancy District currently contributes to the current lease, the cost of the employees, and to the administration of the program. As well as contributing the entire lease in the future, Washington County Conservancy will also contribute to some administration. DNR will no longer contribute to the lease or the housing of the employees, but they will contribute to the program and employee salaries. It is just a shift in contribution. No additional cost will be incurred to DNR or DWR and the partnership will take care of the O&M to the building.

**MOTION: Manuel Torres moved to approve the long term lease approval for the DNR Building at Quail Creek. The motion was seconded by Kerry Casaday and passed unanimously.**

**☐ DELEGATION REQUEST FROM THE UNIVERSITY OF UTAH FOR HUNTSMAN CANCER HOSPITAL PHASE IIB .....**

DFCM recommended that the Building Board delegate project management authority to the University of Utah for the design and construction of the Huntsman Cancer Hospital Phase IIB project. The University of Utah previously demonstrated that they have sufficient construction management skills to manage this project internally.

The Huntsman Cancer Hospital Phase IIB was approved during the 2008 legislative session as the third phase of the of the Hospital project. As a condition of his donation to the project, John Huntsman specified that the University of Utah manage the project. Since this project is being constructed on state property, DFCM will assign a project manager to the project for purposes of coordination. In addition, DFCM holds a monthly construction coordination meeting with the University of Utah. DFCM will retain adequate oversight of the state's interest through this process. This is consistent with what has occurred in the previous two Huntsman projects at the hospital.

**MOTION: Steve Bankhead moved to accept the delegation request from the University of Utah for the Huntsman Cancer Hospital Phase IIB. The motion was seconded by Kerry Casaday and passed unanimously.**

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

Ken Nye, University of Utah, provided the administrative reports for the periods of March 21 to May 2, 2008, and May 2, to June 6, 2008.

There were three design agreements, one programming/planning agreement, three remodeling contracts, and three site improvement contracts issued during the period of March 21 to May 2.

There was a decrease to the Contingency Reserve Fund due to the HEB North Fire Sprinkler Upgrade. The transfer was to provide additional lighting in the conference room which was retrofitted as part of the scope of work.

The report of May 2 to June 6 indicated there were four design agreements, one programming agreement, one study agreement and three remodeling contracts issued.

There was one increase to the Project Reserve Fund due to surplus from the Public Safety Fire Sprinkler System project. The decrease to the Project Reserve Fund was for the Student Services Building Fire Alarm Upgrade. The \$29,482.00 transfer was necessary to cover the construction bid for essential aspects of the project. There were two decreases to the Contingency Reserve Fund for the Electrical Switchgear Upgrade, Phase 1, and the Park Building Renovation. The Contingency Reserve quarterly report was included, as well as the Statewide Account and Improvements Account that had been updated with the FY09 projects.

**MOTION: Kerry Casaday moved to approve the administrative report for the University of Utah for the periods of March 21 to May 2, 2008, and May 2 to June 6, 2008. The motion was seconded by Manuel Torres.**

Ben Berrett, Utah State University, provided the administrative reports for the periods of March 19 to April 30, 2008, and April 30 to June 4, 2008.

The report for the period of March 19 to April 30 indicated five Professional Contracts and 11 Construction Contracts were issued. The report for the period of April 30 to June 4 indicated four professional contracts and eight construction contract were issued. .

**MOTION: Manuel Torres moved to accept the administrative reports for Utah State University for the periods of March 21 to April 30, 2008, and April 30 to June 4, 2008. The motion was seconded by Wilbern McDougal and passed unanimously.**

**REALLOCATION OF CAPITAL IMPROVEMENT FUNDS AT UTAH STATE UNIVERSITY .....**

Several years ago the Board approved an other funds project for a Children's House on 800 North. Unfortunately, USU was not able to raise enough funds to build the house. Two years ago, the Board approved the Emma Eccles Jones Early Childhood Education and Research Center. Both of those projects were donated by the Eccles Foundations. USU proposed linking the projects together in order to save funding.

The donor desired for the building to be located near the College of Education. Since USU was reluctant to site the building on the minimal existing green space, they proposed relocating the existing tennis courts to a corner across from the ice cream store. Relocating the deteriorating tennis courts would cost approximately \$600,000.

Since the College of Education initiated the need for acquiring the space, USU felt they should contribute some of the funds. USU also felt partially responsible since the old courts would need to be resurfaced anyway. Therefore, USU requested to reallocate \$255,000 from the USU Campuswide Paving Project in order to relocate nine tennis courts in order to make room for the Emma Eccles Jones Early Childhood Education and Research Center.

Darrell Hart, Utah State University, added that a study was completed two years ago and it determined there was adequate parking available on the campus. He did acknowledge that it was not always optimal parking however.

**MOTION: Manuel Torres moved to approve the reallocation of paving funds in the amount of \$255,500 from the USU Campuswide Paving Project in order to reallocate nine tennis courts that must be moved to make way for the new Emma Eccles Jones Early Childhood Education and Research Center. The motion was seconded by Steve Bankhead and passed unanimously.**

**❑ REALLOCATION OF CAPITAL IMPROVEMENT FUNDS AT UTAH STATE FAIR PARK.....**

DFCM recommended that the Building Board cancel the FY 2009 Fair Park Design New Storm Drainage and Sewer System project and transfer the \$84,000 to the FY 2008 Fair Park Promontory Hall HVAC/Restroom ADA/Exhaust Fans/Fixtures project.

Kent Beers explained the FY 2008 Promontory Hall project budgeted at \$243,134 recently bid \$75,000 over budget. Because this is a critical project, Fair Park officials requested that the FY 2009 Design of the Storm Drainage/Sewer System be postponed and that the \$84,000 be reallocated to the Promontory Hall project. The Fair Park will request the Design of the Storm Drainage/Sewer System next year.

**MOTION: Steve Bankhead moved to approve the reallocation of funds at the Utah State Fair Park from the Design New Storm Drainage and Sewer System to the Promontory Hall HVAC/Restroom ADA/Exhaust Fans/Fixtures**

**project. The motion was seconded by Kerry Casaday and passed unanimously.**

**☐ FY2010 BUILDING BOARD CAPITAL DEVELOPMENT TOUR – PROPOSED DATES.....**

Each year the Building Board takes a two day tour to visit the projects proposed for funding for the current legislative session. The tours will be held in southern Utah this year and DFCM requested the Board consider some dates for the tours. Steve Bankhead proposed August 21 and 22 or August 25 and 26.

**☐ ADMINISTRATIVE REPORTS FOR DFCM .....**

Kent Beers stated the lease for the BYU Salt Lake Center was extended. The terms of the sales contract of the property required DFCM to continue the lease for the parking. This extension also allowed DFCM to put the lease in their name.

There were decreases to the Contingency Reserve Fund including a transfer of \$90,822 for the Dixie Health Sciences Building to cover various omissions and unknown items. There was also a transfer of \$87,500 to cover DFCM's share of the Granville Constructors Settlement. The Salt Lake County Joint Drivers License/DMV Building had a transfer of \$69,350 to cover Rocky Mountain Power costs for switchgear and to replace three phase underground primary cable.

The current balance in the Contingency Reserve Fund is \$8.2 million. The current balance of the Project Reserve Fund is \$6 million.

**☐ REVISION TO DFCM ELECTRICAL DESIGN STANDARDS .....**

Lynn Hinrichs, DFCM, referred to the DFCM Electrical Design Standards which all engineers and architects are required to comply. Any variations need to have an exception requested. DFCM has determined changes need to be made to the document in order to make it consistent with the current code and eliminate duplication.

DFCM is also hoping to address the issues surrounding harmonic distortion in the newer buildings. As computer rooms become more ingrained in the facilities, the non linear loads have not operated well with the sign wave of electric function and it changes how the power quality works in the building. In order to compete with those types of electrical systems, they needed to determine a way to address the harmonic distortions without over sizing the transformers and main service. DFCM felt this could be done cheaper with the correct kind of transformer and the correct size of service. This has been addressed through power factor and power quality.

The changes had been generated by DFCM's master electrician and had been reviewed by several engineers in the valley. Mr. Hinrichs recommended the Board approve the

electrical design standards and allow them to be posted on the DFCM website.

Steve Bankhead asked if the new standards would only apply to the more sophisticated facilities constructed by DFCM and if it would increase the cost of the less sophisticated facilities. Lynn Hinrichs responded that the edits would allow for flexibility in reducing cost and would be applicable to the broad range of projects done by DFCM. With the amount of projects coming in over budget, there is aggressive value engineering that goes into a building.

**MOTION: Steve Bankhead moved to approve the revision to the DFCM Electrical Design Standards. The motion was seconded by Kerry Casaday and passed unanimously.**

**ADJOURNMENT .....**

**MOTION: Manuel Torres moved to adjourn at 10:14am. The motion was seconded by Kerry Casaday and passed unanimously.**

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