

# Utah State Building Board



## MEETING

May 3, 2017

---

## MINUTES

### Members in Attendance:

Ned Carnahan, Chair  
Lisa Barrager  
Fred Hunsaker  
Gordon Snow  
Chip Nelson  
David Fitzsimmons

### Guests in Attendance:

Jeff Reddoor	Building Board
Patty Yacks	Building Board
Tyson Gregory	Building Board
Mike Smith	Building Board
Alan Bachman	Attorney General
Debbie Kurzban	Attorney General
Simone Rudas	Attorney General
Tani Downing	DAS
Ken Hansen	DAS
Jim Russell	DFCM
Bruce Whittington	DFCM
Dorothy Taylor	DFCM
Wayne Christensen	DFCM
Lee Fairbourn	DFCM
Don Brinkerhoff	DHS
Bob Kempe	UDC
Sid Painar	AJC Architects
Rich Arave	Arch Nexus
Jim Nielson	Axis Architects
Vicky Golie	Babcock Design
Gabe Kramer	Envision Engineering
Jodi Geroux	FFKR Architects
Mark Bagley	Gordian Group
Rachel Legree	Gordian Group

Bryan Webb	Layton Construction
Eric Tholen	Michael Baker
Bob Askerlund	Salt Lake Community College
Malin Francis	Salt Lake Community College
Andrew Parrish	Southern Utah University
Ben Johnson	Southern Utah University
Jason Butikofer	Southern Utah University
Jade Teran	Spectrum Engineers
Joseph Demma	UCAT
Tyler Brinkerhoff	UCAT
Cory Higgins	University of Utah
Ken Nye	University of Utah
Rich Amon	USHE
Ben Berrett	Utah State University
Keith Buswell	Wadman Corp.
Jennifer Bodine	Weber State University

On Wednesday, May 3, 2017, the Utah State Building Board held a regularly scheduled meeting in Room 250 of the Utah State Capitol, in Salt Lake City, Utah. The meeting was called into order at 9:00 am.

**❑ APPROVAL OF MINUTES OF FROM THE APRIL 5, 2017 MEETING**

Chair Carnahan asked for comments or corrections to the minutes from the April Building Board Meeting. Mr. Snow indicated that there was an error to the motion for the University of Utah's request for construction of the Kenneth and Sally Burbidge Athletic Academic Center expansion. The motion was documented that Mr. Snow created and seconded the motion, which is incorrect. Mr. Hunsaker created the motion and Mr. Snow seconded the motion

**MOTION: Mr. Fitzsimmons moved to approve the minutes from the April 5, 2017 Meeting contingent on the one correction. The motion was seconded by Mr. Snow and passed unanimously.**

**❑ SOUTHERN UTAH UNIVERSITY: REQUEST FOR PROGRAMMING, DESIGN, & CONSTRUCTION OF THE NEW SPORTS PERFORMANCE CENTER**

Mr. Butikofer, Mr. Johnson, and Mr. Parrish from SUU presented a request for programming, design, and construction of a New Sports Performance Center. This 8,000 sqft., prefabricated steel building will more than double the size of the current weight room. The New Sports Performance Center will be used to train approximately 370 SUU athletes and 3,000 summer camp attendees. SUU will also hold additional strength and conditioning clinics throughout the year for local high school coaches and athletes. This facility will be paid with privately donated funds from the Eccles Foundation and the Dave Carter family.

Programing for this facility will occur from May to June of this year and is expected to cost \$60K. Construction will then begin in July and be completed in October. The cost of construction is estimated to be \$810K. O&M for this facility is expected to be \$55K-58K annually, which will be paid for through private donations, athletic ticket sales, and corporate sponsorships. No student fees or state funds will be requested for this facility.

Mr. Nelson inquired if the cost of equipment has been factored into the project estimate. Mr. Butikofer confirmed that equipment costs have not been factored into the project estimate. The cost for equipment is estimated to be \$225K, which will come from private fundraising. Mr. Nelson

thanked SUU for their efforts in putting together a well-documented presentation for this request.

\$180K in donations is expected to be given to SUU in December, which is after the estimated completion date. Mr. Snow inquired how SUU plans to pay for the remainder of the project if these funds are not in hand. Mr. Johnson stated that private funds will be used to cover this gap; however SUU is working to have these funds in hand prior to project completion. Mr. Butikofer confirmed that SUU will enter into a MOU with DFCM for this project.

**MOTION: Mr. Nelson moved to approve SUU's request for programming, design, & construction of the new sports performance center. The motion was second by Mr. Fitzsimmons and passed unanimously.**

**❑ DFCM: PROJECT RESERVE TRANSFER REQUEST FOR SNOW COLLEGE CHILLER REPLACEMENT**

Mr. Reddoor presented this item on the behalf of DFCM. DFCM has recently been made aware that the chiller located in the Snow College High Tech Building has failed and needs to be replaced. This project was submitted as a capital improvement request but was not approved for funding. The chiller failed after the Board released the approved capital improvement list for FY18. A replacement is needed as building occupants have started to complain of uncomfortable conditions. Therefore, per 63A-5-104, DFCM is requesting that \$200K from the project reserve fund be approved for this project. Snow College has a number of projects closing-out within the next month, which will contribute over \$270K into the Project Reserve.

**MOTION: Mr. Snow moved to approve DFCM's project reserve transfer request for the Snow College chiller replacement. The motion was second by Ms. Barrager and passed unanimously.**

**❑ STATE BUILDING BOARD: NEW ADMINISTRATIVE RULE R23-3 FOR PLANNING, PROGRAMMING, REQUEST FOR CAPITAL DEVELOPMENT PROJECTS AND OPERATION AND MAINTENANCE REPORTING FOR STATE OWNED FACILITIES**

Mr. Reddoor presented this item; he highlighted two proposed amendments to R23-3. The first is that programming will be a separate phase from design and construction. This change will allow for programming to proceed without the risk of phased funding a project. The second is to revise the deadline for submitting changes to capitol development requests up until the hearings in October. Mr. Bachman covered additional changes, which are listed below.

1. Rule R23-3-10 (4) A capital development request by an agency described in Section 53B-1-102 shall comply with Section 63A-5-104(2)(d) and the Board shall comply with Section 63A-5-104(2)(e).

[Note - (2)(e) relates to weighting requirements of the Board in submissions by the Board of Regents.]

2. Rule R23-3-10 (6) - spelling typo - "Notwithstanding"
3. Rule R23-3-10(6) - add the following:

Any modification under this Rule R 23-3-10(6) shall be for the purpose of a correction, or to better meet the standards or requirements of this Rule R23-3-10.

[Note - this complies with Section 63A-103{2}(d)(ii).]

Mr. Reddoor recommends that the Board approve the filing of R23-3 as outlined above. He will be meeting with DFCM and the Board of Regents on these amendments and will provide an update on this Rule to the Board in June.

**MOTION: Mr. Nelson moved to approve filing of R23-3 for Planning, Programming, Request for Capital Development Projects and Operation and Maintenance Reporting for State Owned Facilities. The motion second by Mr. Fitzsimmons and passed unanimously.**

**❑ UTAH STATE FAIR PARK: ARENA NAMING UPDATE**

Mr. Mullenax delivered an update on the Days of 47 Arena. Construction is on schedule and is roughly 73% completed. The project is estimated to be finished by the original completion date of July 1, 2017. He commended the contractors for keeping this project on the original timeline despite wet conditions at the fair park. The skeletal frame for the grandstand is complete and aluminum skin and seats have been installed. Life safety systems will be in place by next week. Mr. Mullenax extended an invitation to the Board to host a meeting at the fair park. Chair Carnahan thanked him for the invitation.

The Days of 47 Rodeo and the Utah State Fair Corp. successfully executed an operating agreement in April 2017. The AGO worked closely with the Utah State Fair to draft a licensing agreement for use of the Days of 47 name. The licensing agreement involves three entities, Days of 47 Inc., Days of 47 Rodeo, and Utah State Fair Corp. The licensing agreement will be brought forward in a Days of 47 Inc. meeting next week for approval. A final resolution for the licensing agreement should be in place by next Friday.

Chair Carnahan requested that the State Fair Park notify the Board when both the operating and licensing agreements are in place.

**❑ ADMINISTRATIVE REPORTS FROM THE UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY**

Mr. Nye delivered the administrative report for the University of Utah. There were 14 professional service agreements and 10 construction contracts issued. There are no significant items to report on as these are all small projects.

Funds from two completed capital improvement projects totaling \$36,654 were transferred into the Project Reserve Fund. There are no decreases. This leaves a current balance of \$778,473, which has been determined to be an adequate amount in reserve for potential demands. There is no activity to report on for the Contingency Reserve Fund, which has a current balance of \$3,107,751. An analysis indicates that this balance is adequate to complete projects that have been authorized and does not reflect an excess balance.

Mr. Berrett delivered the administrative report for Utah State University. 4 Professional Contracts and 8 Construction Contracts were issued. Highlights include; a contract issued to Cache Landmark to provide irrigation system design at the USU Botanical Center in Kaysville and a contract issued to Whitaker Construction to improve the storm water detention system for the parking lot at Aggie Village. The city has urged USU to address this problem.

There were two draws to the Contingency totaling \$36,131. This leaves a balance of \$647,728. There were two increases to the Project Reserve Fund totaling \$33,375. This leaves a balance

of \$384,032. Mr. Berrett reports that both the Contingency and Project Reserve are in good order.

Chair Carnahan inquired if the Board had any questions on the administrative reports for the University of Utah and Utah State University. None were brought forward.

**□ ADMINISTRATIVE REPORT FOR DFCM**

Mr. Russell presented the administrative report for DFCM. 13 professional service agreements were issued, which consists of 6 for design and 7 for other professional services. 16 construction contracts were issued consisting of 2 for new space, 12 for remodeling, 1 for paving, and 1 for other services.

There was 1 increase and 8 transfers to projects from the Capital Development Contingency Reserve Fund resulting in an ending balance of \$4,184,213. There were multiple transfers to projects totaling \$172,780 from the Capital Improvement Contingency Reserve Fund, which ended with a balance of \$5,738,487.

There is no activity to report for the Capital Development Project Reserve, which has an ending balance of \$1,285,856. The Capital Improvement Project Reserve had 11 transfers to the fund totaling \$426,907, and 3 transfers from the fund of \$75,711. The ending balance is \$5,351,834. Mr. Russell confirmed the contingencies are in order.

**□ FUTURE AGENDA ITEMS**

- Needs Statement requests will start going out on May 19. This will be for FY 19 requests.

This is the final meeting for Board Member Mr. Hunsaker and the Board's legal counsel Mr. Bachman with the Attorney General's Office. The Board thanks both of them for their service and wishes them the best in their future endeavors. Mr. Hunsaker and Mr. Bachman thanked the Board for the opportunity to serve.

**□ ADJOURNMENT**

**MOTION: Mr. Nelson moved to adjourn the meeting. The motion was second by Ms. Barrager and passed unanimously.**

The meeting adjourned at 9:50 AM.