

Utah State Building Board



MEETING

July 10, 2013

MINUTES

Utah State Building Board Members in Attendance:

Ned Carnahan
David Fitzsimmons
Chip Nelson
Bob Fitch
Fred Hunsaker
David Tanner

Guests in Attendance:

Alan Bachman	Office of the Attorney General
Kimberlee Willette	Governor's Office of Management and Budget
Matt Lund	Governor's Office of Management and Budget
Rich Amon	Department of Administrative Services
Kim Hood	Department of Administrative Services
Jeff Reddoor	Utah State Building Board
Cee Cee Niederhauser	Division of Facilities Construction & Management
Jim Russell	Division of Facilities Construction & Management
Taylor Maxfield	Division of Facilities Construction & Management
Bianca Shama	Division of Facilities Construction & Management
John Harrington	Division of Facilities Construction & Management
Bruce Whittington	Division of Facilities Construction & Management
Mike Smith	Division of Facilities Construction & Management
Ben Berrett	Utah State University
Charles Darnell	Utah State University
Alyn Lunceford	Courts
Representative Gage Froerer	Utah House of Representatives
Senator Wayne Harper	Utah State Senate
Ken Nye	University of Utah
Cory Higgins	University of Utah

Lt. Col. Matt Price	Utah National Guard
Captain Eric Holland	Utah National Guard
Erik Sewell	Utah National Guard
Darek Sagers	Utah National Guard
Tiger Funk	Southern Utah University
Viron Lynch	Weber State University
Greg Stauffer	Utah System of Higher Education
Ralph Hardy	Utah System of Higher Education
Gary Riddle	Corp. Real Estate Solutions
Scott Stephenson	Utah Department of Public Safety
Wade Breur	Utah Department of Public Safety
Sherry Ruesch	Dixie State College
Andrew Carlino	State Fairpark

On Wednesday, July 10, 2013 the Utah State Building Board held a regularly scheduled meeting in Room 250 of the Utah State Capitol Building, Salt Lake City, Utah. Chair Ned Carnahan called the meeting to order at 9:00 am.

NEW BUILDING BOARD APPOINTMENTS

Chair Carnahan introduced the new Board members appointed by Governor Herbert. Cee Cee Niederhauser administered the Oath of Office after which Fred Hunsaker, Dave Tanner and Bob Fitch took their places on the stand as official members of the Board.

APPROVAL OF MINUTES OF JUNE 5, 2013

Chair Carnahan asked if there were any correction and additions to the minutes of June 5, 2013. There were none. Chair Carnahan sought a motion for approval of the minutes.

MOTION: David Fitzsimmons moved to approve the meeting minutes of June 5, 2013. The motion was seconded by Chip Nelson. The voting was recorded as follows:
Three members voted in the affirmative: Ned Carnahan, Chip Nelson and David Fitzsimmons.
Three members abstained: Dave Tanner, Bob Fitch and Fred Hunsaker.
The motion passed (by majority of the voting members).

Chair Carnahan asked Sherry Ruesch from Dixie College to report on a scheduled meeting concerning the purchase of property from Washington School District. Ms. Ruesch said the purchase was still in motion and would report at a later time.

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION FOR RULE R23-30 STATE FACILITY ENERGY EFFICIENCY FUND

Alan Bachman reported that Rule 23-30 was up for a five year review. There will be amendments to this rule after approval is given for the review. Mr. Bachman reminded the Board that without approval, the rule will expire and become unenforceable.

MOTION: Chip Nelson moved to approve the Five Year Notice of Review and Statement of Continuation for R23-30. The motion was seconded by Dave Tanner.

Before the vote on the motion, Chair Carnahan questioned wording in R23-30-6, number 8(f) which specifies that Board members should receive an explanation of SBEEP's rationale for each application with no less than ten calendar days prior to the next Building Board meeting. The Board usually receives this information seven days prior to the meeting. He questioned if this part of the Rule should be changed in the future. Mr. Bachman suggested that the Board continue with approval of the R23-30 with a discussion on changes coming for Agenda Item #4. Chair Carnahan agreed and stated there was a motion and a second on approval for the five year notice and review; then called for a vote from the Board to complete the motion.

The voting was unanimous

☐ AMENDMENT TO DFCM RULE 23-30, STATE FACILITY ENERGY EFFICIENCY FUND

Alan Bachman said now that he know R23-30 will continue, he would now like to add some amendments to the rule:

R23-30-8 Reporting and Site Visits: They would like to omit subsection 2 concerning loan funds which mandates that annual reports are due at the beginning of the calendar quarter and replace it with language that states "agency shall complete and provide a report upon request." In addition he would like to delete the last sentence of this section which states that "Annual reports shall be provided for either the first four years after project completion or for each year of the repayment period, which is longer."

R23-30-6 Loan Application Process: Item 8(f) was the change Chair Carnahan mentioned previously, which requires a memorandum be provided to each member of the Board no less than ten calendar days prior to the next scheduled meeting. He would like that changed to read "seven calendar days". Mr. Bachman agreed with the change.

John Harrington reported that the State's Energy Efficiency Fund was being handled efficiently and that an annual report is provided to the Legislature and the Governor. They will also provide this report to the Board as well. Dave Tanner asked Mr. Harrington if the cost savings and payback were as much as anticipated from year to year. Mr. Harrington said there is a lot of "up front" engineering on energy projects funded by the Revolving Loan Fund which report projects savings. These projects are validated by the utility companies. Savings on energy projects are recorded back to 2006 and are provided in the annual report.

Mr. Bachman clarified he is requesting a motion for the amendments to R23-30 and that when this rule is filed, if there aren't any negatively written comments, that they be allowed to file an Effective Notice of the Rule without having to come back to the Board.

MOTION: Fred Hunsaker moved to approve the amendments to Administrative Rule R23-30 and if there are no negative written comments from the public, that an Effective Notice of the Rule be filed without returning to the Board. The motion was seconded by Bob Fitch and passed unanimously.

APPROVAL OF UTAH STATE FAIRPARK REALLOCATION OF CAPITAL IMPROVEMENT FUNDS FROM ZIONS BUILDING HVAC, PIONEER BUILDING CEILING REPLACEMENT, AND WILDLIFE BUILDING HVAC TO THE FAIRPARK GRAND STREET SEWER REPLACEMENT PROJECT – PH II

Andrew Carlino from the Utah State Fairpark introduced Taylor Maxfield from DFCM and provided background information on this project. Mr. Carlino said they are seeking approval to reallocate \$96,000 to complete a critical infrastructure project of 1,300 feet of sewer line at the Fairpark Grand Street location. This infrastructure is over fifty years old. The Capital Improvement funding previously approved for the Zion Building HVAC Upgrades for \$22,000 was a clerical error; ceiling replacement at the Pioneer Building was funded at \$32,000 and was not needed, and the Wildlife HVAC upgrade for \$42,000 was a labeling error and should have gone to the Pioneer Building. These funds should be reallocated to the Grand Street Sewer Replacement Project. Jeff Reddoor voiced his support of the reallocation.

MOTION: David Fitzsimmons moved to approve the reallocation of funds of the three projects at the Utah State Fairpark to the Fairpark Grand Street Sewer Replacement Project. The motion was seconded by Chip Nelson and passed unanimously.

APPROVAL OF UTAH STATE FAIRPARK REALLOCATION OF CAPITAL IMPROVEMENT FUNDS FROM WILDLIFE BUILDING HVAC UPGRADES TO PIONEER BUILDING HVAC UPGRADE

Andrew Carlino from Utah State Fairpark reminded the Board that funding for the Wildlife Building should have gone to the Pioneer Building. Therefore they are requesting the reallocation of \$110,000 so that the Pioneer Building HVAC Upgrades can begin. Chair Carnahan clarified this was a clerical error. Mr. Carlino said that the \$110,000 is the balance left over after the \$42,000 was used for the Wildlife HVAC project.

MOTION: David Tanner moved to approve the reallocation of funds of the Utah State Fairpark Wildlife Building HVAC Upgrades to Pioneer Building HVAC Upgrades. The motion was seconded by Fred Hunsaker and passed unanimously.

❑ REALLOCATION OF CAPITAL IMPROVEMENT FUNDS FROM FARMINGTON COURTS RE-CARPETING PROJECT TO TOOELE COURT SECURITY PROJECT

Alyn Lunceford from Utah Courts said that this reallocation is the result of a clerical error due to some communication that was missed during the process of funding this project. The Farmington Courts Re-carpeting project was divided into two phases because Courts had recently acquired portions of the building from the County. In the process of completing the second phase it made more sense to do the carpet replacement in the state-owned portion of the building, get the acquisition of the building completed, and then complete the re-carpeting in the newly acquired area so that the project would proceed without any problems. This project has been completed. The state-owned portion of the building was funded at \$80,000 and taken care of during the previous funding cycle. However \$163,000 was allocated for this project based on the contract price as per total square footage of the building. Courts would like to reallocate \$80,000 from this re-carpeting project so they can purchase a more sophisticated security system using digital technology for the Tooele Courts. This will allow Courts to install a state of the art digital security system which will serve their needs more efficiently. Mr. Lunceford said that four Court Buildings have already been converted to a digital security system. Chip Nelson said he would like to have a report in the future concerning how these digital systems function and improve security at the Courts Buildings.

MOTION: Chip Nelson moved to approve the Reallocation of Capital Improvement Funds from Farmington Courts to Tooele Court Security Project. The motion was seconded by Dave Tanner and passed unanimously.

❑ REQUEST FOR EARLY DESIGN AND PLANNING FUNDS FOR THE UNG CAMP WILLIAMS OFF BASE SEWER CONNECTION TO LEHI CITY

Lieutenant Colonel Matt Price introduced Captain Eric Holland and Erik Sewell from the Utah National Guard. The US Department of Defense will be awarding the Guard \$37 Million to construct a new 19th Special Forces Armory in the lower south section of Camp Williams. Federal guidelines mandate that all utilities must be within 300 feet of the building and currently there is no utility infrastructure that meets this requirement. The northern part of Camp Williams is part of the South Valley Sewer District with the southern portion under Lehi Sewer District. Camp Williams may have the opportunity to receive funding for other federal buildings in the future but they have to have the infrastructure in place first. This request is to receive authorization to do the design for the sewer which is two miles away in Lehi City and will service Camp Williams. They are requesting up to \$74,000 from the state-wide planning fund to design this sanitary sewer line. In the future, they will be requesting \$2 Million for this project. Lieutenant Colonel Price explained that the Guard could not acquire any federal funding for the sewer line since this connection is on Lehi City property. Lehi City indicates that there may be a way for the state to receive some reimbursement for establishing the sewer line due to hookup fees involved in the development of the area. Chip Nelson asked if the UNG had looked into obtaining a revenue bond from Lehi City with a payback for future sewer hookups along the line with future development. The Guard had talked with the representatives at the City Utility Board

but no elected officials. They received little indication that this could be a collaborative project. Mr. Nelson reminded the Guard that there was a lot of valuable property between Camp Williams and the sewer connection which will benefit from this project in the future. The Guard should negotiate some sort of payback agreement from the properties along the sewer line before construction begins. He requested UNG investigate this further and return to the Board in October. Dave Tanner asked what types of discussions have happened with the city and private land owners. Erik Sewell said the alignment of the pipeline is within the center line of the road. All easements would piggyback on Lehi City easements with no additional easement required. Mr. Tanner noticed that asphalt and site restoration are part of the scope of the project but Mr. Sewell said they would mostly be restoring the road that they remove in order to install the sewer line in the center of the road. Board members expressed concern that Lehi City would be benefiting from the roads replaced as well as the sewer line and agreed that Lehi City should partner with the state in a significant way in this project with agreements in place in order to collect fees from developers. Dave Fitzsimmons asked if any alternative methods had been investigated. Mr. Sewell said that their analysis of grinding and pumping vs. gravity feed indicated that gravity feed would better serve the area for maintenance and longevity in the system. Lieutenant Colonel Matt Price reminded the Board that the southern area of Camp Williams, which will utilize the sewer connection, is the area designated for upcoming development and would possibly be eligible for additional federal funding in future. Lehi City will own the sewer line up to the boundary of Camp Williams.

MOTION: David Fitzsimmons moved to approve the Request for Early Design and Planning Funds for the UNG Camp Williams Off Base Sewer Connection to Lehi City. The motion was seconded by Bob Fitch.

MOTION: Chip Nelson moved to table the motion until UNG's next agenda item has been heard. The motion was seconded by Dave Tanner and passed unanimously.

Chair Carnahan said that this item (the Request for Early Design and Planning Funds) will not be voted on until Agenda Item #9 is heard.

☐ UNG CAMP WILLIAMS SOUTH GARRISON INFRASTRUCTURE DESIGN

Lieutenant Colonel Price reported that the UNG will not be asking for any additional funding for FY 2014. However for FY 2015 their intent is to extend the above mentioned sewer line within their property line to the Special Forces Armory with a cost of approximately \$813,000. In addition there will be a power upgrade for the same property at \$990,840. These amounts, included with the \$2 Million previously requested for the sewer line, totals to \$3.8 Million which will be their request for FY 2015. The Board had concerns about water, natural gas and other utilities on the property. Lieutenant Colonel Price responded that programming for these connections would be paid by the military construction program since they are on federal land. The Guard is requesting for the approval of the design concept of this South Garrison Infrastructure Design. The federally funded design budget is \$600,000 and will include the upgrade and expansion of roadways, parking lots, and utilities on the southern upper garrison

and then expand to the new lower garrison as per the master plan.

MOTION: David Tanner moved to approve the request to move forward with the design of Camp Williams South Garrison Infrastructure with federal funds. The motion was seconded by David Fitzsimmons and passed unanimously.

MOTION: Chip Nelson moved to remove from the table the earlier motion for Agenda Item #8 Request for Early Design and Planning Funds for the UNG Camp Williams Off Base Sewer Connection. The motion was seconded by Dave Tanner and passed unanimously.

David Fitzsimmons clarified his original motion which was the request for design and planning funds up to \$74,000. Even though there had been considerable discussion from the Board concerning payback, collection of fees, or contracts with the city and developers, he felt that the original request was for design approval and did not warrant a request from the Board to enter into a revenue bond with the city or begin negotiations with developers.

Chair Carnahan said the original motion was on the table to approve design and planning for the UNG. The original motion was as follows:

MOTION: David Fitzsimmons moved to approve the Request for Early Design and Planning Funds for the UNG Camp Williams Off Base Sewer Connection to Lehi City. The motion was seconded by Bob Fitch.

The board voted on this motion.

Motion passed unanimously.

☐ APPROVAL OF A JOINT PROJECT WITH DEPARTMENT OF NATURAL RESOURCES AND DEPARTMENT OF PUBLIC SAFETY FOR A LAW ENFORCEMENT TRAINING FACILITY AND DEDICATED RANGE

Major Scott Stephenson and Lieutenant Wade Breur from the Department of Public Safety reported that the DNR has need of a full time dedicated range and the DPS needs to relocate their training program due to restrictions relating to fire danger out at Camp Williams. These restrictions have significant impacts on training schedules. This joint venture will utilize the DWR property at the Lee Kay Center for the amount of \$212,700 and will be funded by the Department of Public Safety. Board members expressed concern about the possibility of utilizing other facilities for training and Major Stephenson said that the travel time was significant plus there were extra costs in addition to travel. No O & M is being requested for this project.

MOTION: David Tanner moved to approve the Joint Project with Department of Natural Resources and Department of Public Safety for a Law Enforcement Training Facility and Dedicated Range. The motion was seconded by Chip Nelson and passed unanimously.

❑ **STATE OF UTAH PM AUDIT AND FCA SUMMARY**

Building Board Manager, Jeff Reddoor explained that by statute, DFCM is required to do maintenance audits and require all state agencies and institutions to comply with maintenance standards as adopted by the Board. Mike Smith, the Facilities Condition Assessment Coordinator for DFCM, has been conducting these audits for the past two years for the Preventive Maintenance and FCA Program. Summaries were given for the following agencies: Administrative Services, Corrections, Higher Education, Fairpark, Human Services, National Guard, Natural Resources, Public Education, UCAT, UDOT, Veterans Affairs, Agriculture and Public Safety. In addition, Mr. Smith explained the processes and procedures for the program.

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

Ken Nye with the University of Utah reported that there were seven Design Agreements and five Planning/Study/Other Agreements. Among these were the UMFA Humidity Investigation and Remedy which is a study funded by capital improvement funds to do a comprehensive investigation into humidity problems in this Fine Arts Museum and recommend appropriate solutions which may include both operational changes and building and system modifications. There was one new construction contract and one site improvement contract. The Project Reserve Fund showed increases from two projects that were completed and had a residual balance to contribute. There were two decreases to the Contingency. The first was for the Eyring Chemistry HVAC System Upgrades which was a transfer of \$140,259 to the fund and was a correction of deficiencies identified during construction which were not identified during design. This includes a number of code required items as well as the installation of backflow preventers to prevent cross-contamination between labs. The second was for the East Foothill Fire Protection. This transfer of \$27,196 was made to cover the cost of an unforeseen item involving breaking through a substantial rock formation that was not identified in the bidding documents as well as correcting the type of drain valves that had been specified in error by the engineer.

Chair Carnahan welcomed Senator Wayne Harper and Representative Gage Froerer and expressed appreciation for attending the meeting.

Ben Berrett from Utah State University reported there were seven Professional Contracts and twenty-five Construction Contracts issued this month. The Contingency Reserve Fund shows the FY 2014 delegated amounts for capital improvement projects which have been added to the fund. There was one decrease to the Contingency Reserve Fund for a change order for the Health/LS/Code/Asbestos FY13 which provided ADA tiles, a new mow strip and landscaping for the bus shelter on 1000 North.

Notable Professional Contracts include:

- 1) Kent Concert Hall Entry Replacement: Includes work on the entry way and creation of ADA access.
- 2) South Farm Equine Center: Phase II of an earlier project. This will build a

classroom facility.

- 3) Planning & Design Fund FY13: Replacement of an ADA ramp.
- 4) Building 620 Lab 231 Remodel: This is a USTAR project outfitting the new science lab.
- 5) Emergency Generator Project: Feasibility study to consolidate the emergency generators at the central plant with consideration of air quality issues.
- 6) FAV Cooling: HVAC Upgrade to the Fine Arts Visual with connections from the central plant to their chiller and replacement of sidewalk.

Notable Construction Contracts include:

- 1) Wellness Center Remodel: This is a relocation and remodel of the conditioning weight room in the Student Wellness Center and conversion of coaches' offices from the former space.
- 2) Romney Stadium Bleachers: Addition of aluminum bleachers on the existing concrete steps on south end of the football stadium.

There are several projects for the Jones Hall Renovation. This is a minor remodel of a residence hall. The University is the General Contractor on this project.

- 6) Medium Voltage Upgrades FY13: Replacement of the large fuses coming into the substation.
- 7) Classroom/Auditorium Upgrades: This is the Industrial Science 119 Remodel.
- 16) Miscellaneous Critical Improvements FY13: This is the addition of some heated steps in the north side of Old Main.
- 17) Campus Wide Bike Racks FY13: Installation of racks between TSC/University Inn

Notable Miscellaneous Contracts consists of asbestos projects, and installation of fixed seating for a classroom. The Project Reserve Fund had no activity during this reporting period. Mr. Berrett added that USU has recently assigned an Assistant Manager of Maintenance at their CEU Price and Blanding campuses in order to bring these facilities up to standard.

ADMINISTRATIVE REPORTS FOR DFCM

Jeff Reddoor reported there were thirty-three Architect/Engineering Agreement and thirty-three Construction Contracts during this reporting period. There were no significant lease items. The Contingency Reserve has had small increases due to cost savings on some projects. The balance is at \$7.4 Million. The Project Reserve has also had increases which reflect savings on projects that were transferred to this fund by statute. The balance of the Project Reserve is approximately \$6 Million.

NEW PROPOSED PRIORITIZED SCORING PROCESS FOR CAPITAL IMPROVEMENTS

Chair Carnahan explained that according to Senate Bill 2, the Legislature intended that DAS

and DFCM provide a proposal to change the prioritized scoring process for Capital Improvements similar to what the Transportation Commission uses to prioritize highway capacity projects. This proposal should be provided to the Legislative Fiscal Analyst by July 1, 2013 which has been completed. Copies have been provided to the various governmental subcommittees as well as Agencies and Institutions of Higher Learning. Comments concerning the proposed processes have been received. The Board held a business/training session yesterday where this new scoring process was presented to Board members. Many of the comments received previously were the same as in the Board's business meeting which were reviewed and considered by the Board. Senator Wayne Harper and Representative Gage Froerer said that they had read the proposal and felt the Board was headed in the right direction. They encouraged the Board to continue the flow in information so that they could present this at the Interim Meetings in September. They also expressed their support for the maintenance audit program and said that DFCM may need a budget increase if another employee is needed to keep up with the annual condition assessment audit program which is required by statute. Jeff Reddoor acknowledged that he had received comments concerning the misuse of the "life safety" category in the prioritized process and considered a possible 5% or 10% cap on this category. Jeff Reddoor will continue to refine this proposal until he has a policy he is ready to present to the Legislature in January. The discussion continued about the age of buildings, size of maintenance budgets, efficient use of funding and the collaboration needed to work with Agencies and Institutions of Higher Learning. Chair Carnahan opened this agenda item for comments and instructed interested parties that written comments would be accepted up until August 7th and should be addressed to Jeff Reddoor

Chip Nelson inquired about the Study on Infrastructure that was to be presented by Higher Education. Ralph Hardy said this report is schedule for the next Board meeting in September.

☐ ADJOURNMENT

MOTION: Chip Nelson moved to adjourn the meeting. The motion was seconded by David Tanner and passed unanimously.

The meeting adjourned at 11:30 am.