

Utah State Building Board



MEETING

December 9, 2015

MINUTES

Members in Attendance:

Ned Carnahan, Chair
David Tanner
Fred Hunsaker
Bob Fitch
David Fitzsimmons
Chip Nelson
Gordon Snow

Guests in Attendance:

Jeff Reddoor	Utah State Building Board
Ken Hansen	Department of Administrative Services
Kim Hood	Department of Administrative Services
Matt Lund	GOMB
Bruce Whittington	Division of Facilities Construction & Management
Jim Russell	Division of Facilities Construction & Management
Lee Fairbourn	Division of Facilities Construction & Management
Thomas Shaw	Division of Facilities Construction & Management
Wayne Christensen	Division of Facilities Construction & Management
CeeCee Niederhauser	Division of Facilities Construction & Management
Alan Bachman	Attorney General's Office
Nicole Alder	Attorney General's Office
Angela Oh	Legislative Fiscal Analyst Office
Ralph Hardy	USHE
Rich Amon	USHE
Ken Nye	University of Utah
Chris Hill	University of Utah
Mike Perez	University of Utah
Tiger Funk	Southern Utah University
Shawn Anderson	Department of Corrections
Greg Peay	Department of Corrections
Jerry Jensen	Department of Corrections
Gary Carlston	Snow College

Don Brinkerhoff	Department of Human Services
Ben Berrett	Utah State University
David Cowley	Utah State University
Brigham Mellor	Syracuse City
Sal Petilos	Department of Alcohol Beverage Control
Bob Askerlund	Salt Lake Community College
Jim Nielson	Dixon and Associates
Nate Behunin	Method Studio
Erika Engberson	Dave Robinson Architects
Julee Attig	Reaveley Engineers
Lori Haglund	VBFA
Paul Morris	Dixie State University
Jackie McGill	Spectrum Engineers
Kris Bowser	VCBO Architects
Kim Johnson	Design West Architects
Rachel Legree	The Gordian Group
Eric Tholen	Architect

On Wednesday, December 9, 2015, the Utah State Building Board held a meeting in Room 250 of the Utah State Capitol Building in Salt Lake City, Utah. Chair Ned Carnahan called the meeting to order at 9:00 am.

☐ APPROVAL OF MEETING MINUTES OF NOVEMBER 4, 2015

Chair Carnahan asked for comments or corrections to the minutes. There were none.

MOTION: Fred Hunsaker moved to approve the Minutes of November 4, 2015. The motion was seconded by David Tanner and passed unanimously.

☐ GRANT ELEMENTARY BUILDING PURCHASE FOR THE UTAH SCHOOLS FOR THE DEAF AND BLIND

Superintendent Joel Coleman reported the USDB would like to purchase the old Grant Elementary School from Nebo School District. With considerable renovation, this property would become the hub for the School for the Deaf and Blind in Utah County, which is presently being housed in various locations. The purchase amount of \$1.2 Million is for a 30,816 sf building and four acres of property. No additional O&M is being requested. The building has been appraised at \$2.2 Million. DFCM estimates renovations would cost approximately \$250 sf to remodel and would include HVAC, ADA upgrades, and life safety issues. The Board understood USDB's need for a facility in Utah County but did not feel this purchase was in the best interest of the state considering the amount of money needed to bring this building up to code. They advised Mr. Coleman to move forward with a plan to design and build a new school for USDB in the Utah County area.

MOTION: Gordon Snow moved to approve programming and planning funds for a new USDB Utah County Facility with a request that USDB present a proposal at a future Legislative session to obtain funding for this new

building. The motion was seconded by Bob Fitch and passed unanimously.

❑ REQUEST FOR APPROVAL TO FUND A CAMPUS MASTER PLAN FOR SNOW COLLEGE

Gary Carlston, President of Snow College, and Jim Russell, DFCM Construction Manager, presented a request to fund a new master plan for Snow College which would include the Ephraim and Richfield Campuses. Their 2002-2003 Master Plan was last updated in 2010. Projections show campus growth at 6,300 students in the next five years. Their request is for \$65,000 to engage VCBO to prepare the plan. Upon completion, the final Master Plan would be brought to the Board for approval. Jeff Reddoor indicated these funds could be provided from the DFCM Program and Planning Fund which is reimbursable. In addition, this would be a “not-to-exceed” contract which would base the services required for this plan. Reimbursables would be in addition to this contract amount. Dave Tanner encouraged the school to include members of the academic community in this planning process. In addition, Snow College would like to buy out the Sevier County School District for their obligation of the Sevier Valley Center which includes 10 classrooms used by Richfield High School.

MOTION: Fred Hunsaker moved to approve the request to fund a Campus Master Plan for the Snow College Ephraim and Richfield Campuses in the amount of \$65,410 and would include reimbursable for the project. The motion was seconded by Chip Nelson and passed unanimously.

❑ UTAH STATE UNIVERSITY’S SPACE DYNAMICS LAB C4ISR FACILITY PHASE II, A NON-STATE FUNDED PROJECT

David Cowley, Vice President of Finance at USU, requested approval to move forward with construction of Phase II of the Space Dynamics Lab on their Innovation Campus. Phase I is in the design phase. The original idea behind the two phases was to design a phase I that had the components necessary for growth and expansion, but also include all the common areas such as entrances, lobbies, mechanical, etc., and then to build phase II at a later date. However, in order to fulfill the number of contracts already in place at this facility and the multi-year growth trend, it has become desirous to build phase II at the same time as phase I. This is a free-standing building. The cost per square foot is significantly lower since much of the infrastructure has been placed by phase I. The C4ISR Lab, a division of the Space Dynamics Lab, develops advanced intelligence that supports communications systems. Much of their work is for the Department of Defense. Eighteen million dollars in bonds were issued for the first phase of \$46,000 GSF in September. USU is requesting approval for the additional space in phase II for up to 37,500 GSF and at a cost of up to \$12 Million. However, Mr. Cowley indicated this project would probably be closer to 28,000 GSF which would drop the cost significantly. USU is requesting approval for this non-state funded project so they can obtain approval from the 2016 Legislature for additional revenue. There were questions concerning bond payment. Mr. Cowley explained the USU revenue system pledges, as the source of repayment for the bond, the indirect overhead recovered on research grants across the university.

MOTION: David Tanner moved to approve the USU Space Dynamics Lab C4ISR Facility Phase II for up to 37,500 SF for a total of \$12 Million which would be paid by revenue bond. The motion was seconded by David Fitzsimmons

and passed unanimously.

❑ REQUEST FOR APPROVAL OF THE SYRACUSE LIQUOR STORE FOR THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Sal Petilos, Director of DABC, explained the number of liquor stores allowed in the state is determined by quota with one liquor store allowed for every 48,000 citizens in the state. At the current population, 62 stores are permitted, but only 44 in operation. In 2013 a team of students from the University of Utah, David Eccles School of Business conducted a store need analysis to determine which areas of the state would best benefit from a liquor store. The result of the analysis was a recommendation for a total of 12 additional stores – seven in Salt Lake County, two in Davis County and three in Utah County. The study particularly recommended the DABC build in the Roy/Clearfield/Syracuse area and Farmington areas. Stores in close proximity to the Syracuse area have grown by 44% in terms of revenue. The City of Syracuse is supportive of this new store. Construction budget estimates have determine this 12,000 GSF facility could be built for five to six million dollars. Jeff Reddoor reminded the Board agency revenues would cover the cost of this structure; however, the DABC will need to go to the Legislature to obtain O&M for this facility. With this component, this project should be approved with a recommendation to move forward to the Legislature.

MOTION: Chip Nelson moved to approve the planning, design and construction of the Syracuse Liquor Store for the Department of Alcoholic Beverage Control with a recommendation this project move forward to the Legislature. The motion was seconded by David Fitzsimmons and passed unanimously.

❑ UTAH DEPARTMENT OF CORRECTIONS REALLOCATION OF FUNDS FOR THE SMOKE EVACUATION SYSTEMS IN THE OQUIRRH AND UINTAH HOUSING UNITS AT DRAPER PRISON

Greg Peay, UDC Facilities Bureau Director, Jerry Jensen, Deputy Director of Facilities, and Sean Anderson, Facilities Coordinator for the Draper Prison, presented their request for a reallocation of funds to complete the Smoke Evacuation System Project in Draper. Mr. Peay explained UDC has faced several life/safety issues with the failure of their smoke evacuation systems in the Oquirrh and Uinta Housing Units. When this system fails to work properly, first responders are put in jeopardy. This outdated system has reached the end of its life cycle and needs replacement. FY16 Capital Improvement Funding of \$387,740 was obtained for the Smoke Evacuation Systems Upgrade (Project 15192100) based on mechanical engineering estimates; however, when the project went out for bid, the costs were much higher – low bid was \$559,023 and high bid was \$771,500. Previously, the UDC received Capital Improvement Funds in the amount of \$201,600 for the Replacement of the CUCF Perimeter Fence Shaker Upgrade System (Project 15211110) at their West One Facility in Gunnison. However, DFCM Project Management and UDC decided to combine the placement of CUCF Perimeter Fence System with a Capital Development Project for the CUCF-192 Bed Pod Expansion/288 Bed Design in order to ensure quality of installation and material and to interface this new system into control towers and security points using one contractor as point of contact for any problems. Therefore, UDC requests the following reallocation of Capital Improvement Funds:

FY16 Capital Improvements Funds originally allocated for Smoke Evacuation: \$387,740.00

Reallocation of FY16 CI Funds from CUCF Perimeter Fence Shaker System	<u>\$201,600.00</u>
TOTAL FOR NEW SMOKE EVACUATION SYSTEMS	<u>\$589,340.00</u>

UDC, DFCM and consulting Engineers, are committed to complete this project by value engineering, clarifying the scope of the project, and UDC staff resources to aid the project and contractor. UDC requests the reallocation of \$201,600 in order to complete this project. There were concerns about putting more money into the old Draper Prison site; however, Board members realized this life/safety issue should be addressed promptly.

MOTION: Gordon Snow moved to approve the Reallocation of Funds for the Smoke Evacuation Systems in the Oquirrh and Uintah Housing Units at Draper Prison. The motion was seconded by David Tanner and passed unanimously.

□ UNIVERSITY REPORTS

Ken Nye, Facilities Business Director at the University of Utah, reported they had eleven design agreements and eight planning/other types of agreements this reporting period. Construction contracts include five remodeling contracts and one site improvement. There were no changes to the Project Reserve Fund. However, there were three draws from the Contingency Reserve Fund:

- 1) John Price Museum of Fine Art Humidity Problem for \$24,500 to cover part of the cost of the building envelope commissioning which was not adequately addressed in the budget;
- 2) HTW Plant Replacement Boiler draw for \$97,918 for a design omission and covers the cost of design coordination; and
- 3) Art & Architecture Fume Hood & Fire Protection Upgrade draw for \$38,062 to cover the cost of eight different unforeseen conditions.

There were no questions from the Board.

Ben Berrett, Director of Planning, Design and Construction for Utah State University, gave reports for two reporting period due to his absence at the last Board meeting.

Reporting period 8/24/15 to 10/19/15: There were three professional contracts and 23 construction contracts. A notable professional contract was the Medium Voltage Upgrade FY15 which is a design agreement for future upgrades the University is presently working on. Notable construction contracts include \$605,195 for a project at the Kaysville Botanical Center to upgrade utilities, road and parking lot. There were two decreases from the Contingency Reserve Fund: 1200 E. Walt Way Improvements to widen the sidewalk and replace utilities along the cemetery resulting in lowering of water lines; and a small change order for the Nutrition and Food Science Mechanical System Phase 1 Project to demolish expansion tanks/rotate ductwork. The Project Reserve had one increase from the Building Commissioning FY 12 Project that closed resulting in a transfer of \$19,355.13. The ending balance of Project Reserve Fund is \$399,462.20.

Reporting period 10/19/15 to 11/23/15: There were five professional contracts and 16 construction contracts. Notable is a planning and design contract for a feasibility study on a parking structure with VCBO Architects which studied multi-level parking at several campus locations. The construction contract for Campus Controls Upgrade FY 14 is another phase of

work on the Nutrition Food Science Facility and is a mechanical upgrade for this lab building. In addition, the University purchased \$218,000 worth of high voltage switches to replace the dielectric insulated vault style switches on campus. The Contingency Reserve had three decreases during this reporting period: 1) NFS Mechanical System Phase 1 for \$19,356.60 which was a change order for pumping and piping; 2) Parking Lot Paving FY14 for \$10,590.60 to test for recent failures; and 3) FAV Cooling for \$3,493.51 to address exhaust changes. There were no changes to the Project Reserve which presently has a balance of \$399,462.20.

❑ REQUEST FOR APPROVAL FOR THE UNIVERSITY OF UTAH SCOREBOARD REPLACEMENT AND DISTRIBUTED SOUND SYSTEM

Chris Hill, Director of Athletics at the University of Utah, explained the University would like to upgrade the existing video board and sound system at Rice Eccles Stadium. This project will allow greater visibility and operational enhancement for a positive fan experience. In addition, the new system will help contain the sound within the stadium and reduce the noise to the surrounding community as well as improve the listening environment within the stadium. The proposed budget of \$13,500,000 will be funded by the Department of Athletics and Auxiliary Service Funds. The University of Utah is requesting authorization to design, bid and award a construction contract for this project. No O&M is being requested.

MOTION: Chip Nelson moved to approve the University of Utah's Scoreboard Replacement and Distributed Sound System. The motion was seconded by David Tanner and passed unanimously.

❑ ADMINISTRATIVE REPORT FOR DFCM

Bruce Whittington, DFCM Interim Director, reported DFCM had no significant leases but processed three renewals of existing leases this reporting period. There were 28 professional service agreements and 24 construction contracts. Of those construction contracts, one used a small amount of Project Reserve Funds toward the project. The Capital Development Contingency Reserve Fund saw transfers to five projects this period for a total of \$118,000 and received funds from ten new projects with a total of \$5 Million. The Fund currently has a \$7 Million balance. The Capital Improvement Contingency Reserve Fund saw transfers to 16 projects for a total of \$243,000 and received funds from 48 projects for \$1.3 Million as a result of new Capital Improvement projects. The Capital Improvement Contingency Fund has a current balance of \$5.2 Million. There was also a Contingency Fund Analysis included in their report which combines the development and improvement contingency, and identifies the total value and impact should contingency be needed through the life of these projects. The balance of this fund is \$12.3 Million. The analysis shows a \$1 Million balance in reserve should the contingency be needed through the life of these projects. The Capital Development Project Reserve Fund had no activity with a balance of \$1.8 Million. However, there was moderate activity in the Capital Improvement Project Reserve which currently has a \$5.5 Million balance. The DFCM Planning Fund, with recent transfers to various projects, now has a \$581,000 balance.

Chair Carnahan announced the meeting will adjourn and reconvene for the Business Session and lunch in 4112 State Office Building.

❑ ADJOURNMENT

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

The meeting adjourned at 10:37 am.

BUSINESS MEETING

The meeting reconvened at 11:05 am

☐ OPEN AND PUBLIC MEETING LAW TRAINING

Assistant Attorney General Alan Bachman provided the annual OPMA training for the Board. The topics covered included:

- Declaration of Public Policy Utah Code 52-4-102
- Who is Subject to This Law
- What is a Meeting
- Law Sets Minimum Standards
- What is a Quorum
- Attendance at Meetings
- Electronic Meetings – Anchor Location
- Notice and Agenda
- Only Act in Accordance with the Agenda
- Notice Requirements – Utah Code 52-4-202(2)(a)
- Closed Meetings
- What About Emergencies
- Records of Open Meetings
- Requirements for Keeping Minutes
- Site Visit – Tour
- Electronic Message Transmissions
- Chance or Social Meetings
- Common Violations of OPMA

☐ FUTURE GOALS AND STRATEGIC PLANNING

Jeff Reddoor explained there may be a future increase in project funding limits for capital improvement projects. Limits are presently at \$3.5 Million for a capital improvement project. This year, there may be additional capital improvement funding from the Legislature. Legislative Analyst, Angela Oh, confirmed the Governor had recommended 1.1% for capital improvement funding in FY 2017. She confirmed that the Executive Appropriations Subcommittee set aside approximately \$53 million in their December meeting to increase capital improvement funding to approximately 1.54 percent.

The Governor recommended four buildings on the Capital Development List for funding this year and includes the UVU Performing Arts Building, SLCC Building at Westpointe, Utah State Archives, and DEQ Technical Center. The Board discussed the possibility of reviewing Higher Ed's scoring process for capital development at the Board of Regents Meeting in September. In addition, the Board would like to review the scoring process for UCAT.

Marilee Richins introduced the future goals and strategic planning for the Board and referenced the notes from October's Building Board Retreat which were broken down as goals and tasks for the Board. This information is useful because: 1) It create a map for the Board to keep priorities and goals in front; 2) Helps DAS plan for future resources; 3) Assists with effective communications; and 4) Creates vision and direction which can be passed on to new Board members. Jeff Reddoor indicated the following could possibly be addressed in the Board's Five Year Strategic Plan:

- O&M tracking on a building level
- Master planning – should there be a master plan for state buildings?
- Risk database – should be a single source of truth for state assets
- State-wide infrastructure study
- Capital Development Reporting Requirements
- State Land Data
- Energy Metering
- Planning Funds

After careful reviewed of the notes from the Retreat, the Board agreed further study and discussion should take place at a later date. Dave Tanner added the five year plan should address the statutory responsibilities of the Board and requested a copy of these responsibilities be distributed for review.

Chair Carnahan suggested the following topics as future agenda items:

- The future prioritization of land banking
- A uniform template for presentations
- UCAT and USHE scoring systems
- Agency Reports from USU, U of U and DFCM
- Statutory Overview
- Senator Stephen Urquhart's USHE Funding
- Building Cost Review

Gordon Snow requested the Board determine if funding is in place for the DXATC project. The motion from the Board was for DXATC to consult with the State Auditor to determine the appropriateness of the bond. The county bond must be in place before DFCM will issue a contract for this project. Chair Carnahan agreed to respond to Mr. Snow. In addition, Mr. Snow requested the Legislature receive an annual report from the Board summarizing 2015 accomplishments, with regard to SB 217. He expressed appreciation to Board leadership for the quality of non-state funded projects presented to the Board this year.

❑ ADJOURNMENT

The meeting adjourned at 2:25 pm.