

# Utah State Building Board



## MEETING

September 7, 2016

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## **MINUTES**

### **Members in Attendance:**

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

### **Guests in Attendance:**

Jeff Reddoor	Utah State Building Board
Mike Smith	Utah State Building Board
Ken Hansen	Department of Administrative Services
Patricia Yacks	Department of Administrative Services
Eric Tholen	Division of Facilities Construction & Management
Bruce Whittington	Division of Facilities Construction & Management
Jim Russell	Division of Facilities Construction & Management
Dorothy Taylor	Division of Facilities Construction & Management
CeeCee Niederhauser	Division of Facilities Construction & Management
Lee Fairbourn	Division of Facilities Construction & Management
Alan Bachman	Attorney General's Office
Nicole Alder	Attorney General's Office
Rich Amon	USHE
Tiger Funk	Southern Utah University
Malin Francis	Salt Lake Community College
Sherry Ruesch	Dixie State University
Paul C Morris	Dixie State University
Richard B Williams	Dixie State University
Ben Berrett	Utah State University
Ken Nye	University of Utah
Kevin Griffin	Utah Department of Transportation
Susan Burke	Department of Human Services, JJS
Jennifer Evans	Department of Human Services
Jerry Jensen	Department of Corrections

Alyn Lunceford	Utah State Courts
Darek Sagers	Utah National Guard
Dennis McFall	Department of Veterans and Military Affairs
Lori Haglund	VBFA
Tiffany Woods	Spectrum Engineers
Julee Attig	Reaveley Engineers
Fran Pruyn	CRSA
Linda Hansen	Ensign Engineering
Jeff Palmer	Layton Construction
Jim Lohse	FFKR
Jodi Geroux	FFKR
Kayla Farr	FFKR
Gordon Clark	JRCA Architects
Jim Child	JRCA Architects
Rachel Legree	The Guardian Group
Chris Coutts	Architectural Nexus
Jim Nielson	Axis Architects

On Wednesday, September 7, 2016, the Utah State Building Board held a regularly scheduled meeting in Room 250 of the Utah State Capitol Building, Salt Lake City, Utah. The meeting was called to order at 9:00 am. Building Board member, Gordon Snow has been excused from today's meeting.

**☐ APPROVAL OF MINUTES OF JULY 6, 2016**

Chair Carnahan asked for comments or corrections to the minutes.

**MOTION: David Fitzsimmons moved to approve the Minutes of the July 6, 2016 Meeting and the August 17 and 18, 2016 Tour. The motion was seconded by Bob Fitch and passed unanimously.**

**☐ REQUEST FOR APPROVAL OF PROGRAMMING, DESIGN, AND CONSTRUCTION THE RECIRCULATION AQUACULTURE SYSTEM AT THE UTAH DIVISION OF WILDLIFE RESOURCES SPRINGVILLE FISH HATCHERY**

Mr. Terry Howick, Fish Culture Supervisor for the Division of Wildlife Resources proposed a request to design and construct a Recirculation Acquaculture System at their Springville Hatchery in order to meet an increasing demand for the culture of warm and cool water fish. Mr. Howick explained that funding for the project would take place over the course of two fiscal years through the DWR State Fish Hatchery Maintenance Account which is replenished through the sale of fishing licenses. Mr. Reddoor added that this project was to compliment the renovation of the Springville Hatchery, which was approved last year. There were questions on DWR's intent to spread funding over multiple fiscal years in light of Rule 23-3. Mr. Howick responded by asking for a change in the request to be for approval of the design phase of the project. Mr. Reddoor expressed concern that the Legislature would consider this request as phased funding.

**MOTION: Chair Carnahan moved to table DWR's Request for Approval of**

**Programming, Design, and Construction for a Recirculation Aquaculture System at the Springville Fish Hatchery until the November Meeting. The motion passed through a majority vote of 5 to 1.**

**❑ REQUEST FOR APPROVAL OF PROGRAMMING FOR THE HUMAN PERFORMANCE BUILDING AT DIXIE STATE UNIVERSITY**

Richard Williams, President of Dixie State University proposed a request to use funds saved for this project to begin programming for a new Human Performance Building. The construction budget estimate is \$50 million for this 142,000 square foot facility with an estimated cost of \$430,000 for programming. The university currently has \$25 million in funding sourced from student fees and various donations. Mr. Williams noted that student fees have not increased since 2012, and remain at \$25.00 per semester. The building will house numerous academic programs in the health and physical education departments; including space for the U of U/DSU Partnership Programs which is aimed to address shortages in healthcare administration. The partnership allows for \$1.5 million of ongoing funds and is projected to kick off in May of 2018. Mr. Williams stressed that the university currently does not have space to fully implement the program, thus highlighting the criticality of this project. Also housed in this building will be the Student Wellness and Activity centers

Chair Carnahan inquired where this project stands with Board of Regents prioritization. Mr. Williams stated that this project is tied for second with Weber State University's renovation request of their Social Science building.

**MOTION: Chip Nelson moved to approve the recommendation of legislative approval for programming on the Human Performance Building at Dixie State University. The motion was seconded by David Tanner and passed unanimously.**

**❑ REQUEST FOR APPROVAL OF DESIGN FOR UTAH STATE UNIVERSITY'S INTERLOCKING CROSSLAMINATED TIMBERS BUILDING**

Ben Berrett, Director of Planning, Design, and Construction, purposed a request to begin the design phase of a 4,000 sq. ft. facility at the USU Botanical Center in Kaysville. The facility will include a pavilion to support the Edible Demonstration Garden events held throughout the year as well as demonstration kitchen, large classroom and rentable event space. Design will be funded through a federal grant from the US Forest Service, which has been secured. Mr. Reddoor noted that this project meets the criteria for non-state funded projects. Per statute, Alan Bachman requested clarification for the record that funding was in place and no increases for state funding would be need throughout the entirety of the project. Mr. Berrett confirmed that no state funding would be needed for the project.

**MOTION: David Fitzsimmons moved to approve the design phase of the project. The motion was second by Bob Fitch and passed unanimously**

There was continued discussion on the intent of the Boards approval. Mr. Bachman inquired if funding was in place for construction. Mr. Berrett stated that the funds were not in place, however

reinstated that no state funds would be requested for the project. Mr. Reddoor stated this is considered phasing and puts this request out of the Board's purview.

**AMENDED**

**MOTION:** Chairman Carnahan moved to table this request until the November meeting at the earliest, due to non-state funds for the entire project were not secure at this time. Chairman Carnahan requested an outline of the funding source for the project at that time. The motion was second by David Tanner and passed unanimously.

**❑ REQUEST FROM THE UTAH DEPARTMENT OF VETERANS & MILITARY AFFAIRS TO NAME THE CENTRAL UTAH VETERANS HOME IN PAYSON IN HONOR OF MERVYN SHARP BENNION**

Dennis McFall, Deputy Director of the Department of Veterans & Military Affairs proposed a request to name the Central Utah Veterans Home in Payson in honor of Captain Mervyn Sharp Bennion, United States Navy, who was the Commander of the Battleship USS West Virginia. Mr. McFall briefed the Board of the courageous acts Capitan Bennion displayed during the attack on Pearl Harbor.

Chair Carnahan was honored that the Department Veterans Affairs brought this request before the Board.

**MOTION:** Fred Hunsaker moved to approve the naming of the Central Utah Veterans Home in Payson in Honor of Mervyn Sharp Bennion. The motion was seconded by Chip Nelson and passed unanimously.

**❑ REQUEST FOR APPROVAL OF PROGRAMMING FOR THE SALT LAKE MULTI USE YOUTH CENTER FOR THE DIVISION OF JUVENILE JUSTICE SYSTEM**

Director Susan Burke proposed a request to begin programing of the Salt Lake Multi-Youth Center. The preliminary cost estimate for this project is \$32,464,923 for 84,100 square feet with an estimated cost of \$415,000 for programming. Ms. Burke outlined the benefits of remaining at the current location, which already has a strong correctional facility presence. The Division owns the property that the current Youth Center sits on. In addition, the Division also owns the property adjacent used for the Salt Lake Valley Detention Center where juveniles are temporarily detained before arriving to the Youth Center. The current location is also near public transportation.

Chip Nelson would like JJS and DFCM to exploring some remodeling options on the current facility, which could be cost effective solution to their current concerns.

Chair Carnahan called on Jim Russell with DFCM to provide a feasibility study on remodeling versus replacement. The findings of the structural evaluation showed that the roof is not tied to the structure and would require the addition of structural walls. DFCM has completed an analysis, from which it was determined that the structural and roofing upgrades would cost an estimated \$3.5 million.

**MOTION:** Chair Carnahan purposed to table the project to the November meeting. The motion

failed for lack of a second.

Chair Carnahan requested the feasibility statement for this project

Mr. Fitzsimmons expressed his concern with remodeling, stating that getting the current building to be structurally sound would be a costly venture. He proposed a motion to recommend legislative approval for programming of the project

**MOTION: David Fitzsimmons moved to recommend legislative approval for programming of the Salt Lake Multi-Use Youth Center project for the Division of Juvenile Justice System. The motion was second by David Tanner and passed with a majority vote of 4 to 1.**

Mr. Nelson recognized that remodeling can be costly. However, he referenced a Weber State University remodeling project which reduced cost per sq. ft. by \$100. Mr. Nelson would like to see efforts to reduce current facility costs.

**❑ AMENDMENTS TO DFCM RULE 23-3 PLANNING, PROGRAMMING REQUEST FOR CAPITAL DEVELOPMENT PROJECTS, AND OPERATION AND MAINTENANCE REPORTING FOR STATE OWNED FACILITIES**

Mr. Reddoor acknowledged that R23-3 Planning, Programming Request for Capital Development Projects, and Operation and Maintenance Reporting for State Owned Facilities should be reviewed and amended. He suggested the Board either revisit this item during the October's Prioritization Hearings meeting, or during November's meeting. Mr. Reddoor recommended that the Board motion to revisit this item in the November meeting.

**MOTION: Chair Carnahan moved to table this item until the November meeting. The motion passed unanimously.**

**❑ AN EXPLANATION OF THE UTAH SYSTEM OF HIGHER EDUCATION PRIORITIZATION PROCESS**

In efforts to create uniformity for processes between the State Building Board and the Board of Regents, Rich Amon, Assistant Commissioner of Business Operations for USHE, reviewed a presentation which focused on their internal processes for capital development prioritization. The presentation covered the current steps for capital development prioritization and scoring guidelines. Mr. Amon noted the Board of Regents will conduct their prioritization next week. Mr. Reddoor noted that scoring obtained from the Board of Regents prioritization will factor into that of the State Building Board's. Mr. Nelson expressed concern that this may give Higher Education projects an unfair advantage when compared to non-Higher Ed projects. Mr. Reddoor will review this concern and have a resolution in place prior to the October prioritization meeting.

**❑ REPORT OF THE FY 2016 PREVENTATIVE MAINTENANCE AUDITS**

Mr. Reddoor provided some background to the facility maintenance standards put in place by the State Building Board in 1997. These standards will also be adopted into Rule 23-3. DFCM has

authority over the delegation, however Higher Ed is exempt because fulfill maintenance needs internally. Mr. Reddoor turned the presentation over to Mike Smith, Facilities Auditor for the State Building Board to review findings from the audit. Mr. Smith reported that between Tyson Gregory, also an Auditor for the State Building Board, and himself, they were able to visit 21.8 million sq. ft. of building space in FY 16. Mr. Smith review how the scores were calculated in each of the categories listed on the report. The Utah State Fair park still remains concerning as they have yet to pass an audit since the program was initiated in 1997.

Matt Lund with GOMB asked if the agencies were notified of their results. Mr. Smith stated that findings and recommendations are compiled into a full report which is sent to the agencies.

Mr. Nelson wanted to know who, within the agency, typically receives the reports. Mr. Smith said they usually disseminated to the facilities operations group. Mr. Nelson and Mr. Reddoor suggested the reports be sent to contacts at higher level, possibly within the Executive or Presidential level. Mr. Tanner added the reports should also go to the Board of Regents as this may be critical information for their own prioritization process.

#### **❑ QUARTERLY ADMINISTRATIVE REPORT FOR UTAH DEPARTMENT OF TRANSPORTATION**

Kevin Griffin, Director of Maintenance for UDOT, reported three new architectural contracts were issued for Maintenance Station Replacements. The Snowville and Cottonwood Replacements are 90% completed and the Salt Lake West Replacement is in design phase. The new Hooper Maintenance Station is in the final stages of construction and Mr. Griffin anticipates the project will be completed within the next month. UDOT intends to sell the Clinton Maintenance Facility which will provide funding for the Snowville Maintenance Station Replacement. The Morgan Maintenance Station is in the beginning stages of construction. A change order for the project will be issued for obligations made from the UDOT Right-of-Way Division. The main change was an agreement to construct an additional 130 feet of access road to our new station location. The cost of the change order is projected to be \$150K. Mr. Griffin assured that UDOT has the funds to cover the change order and the lapse in communications has been corrected. Mr. Griffin reported that the division will start advertising design for 6 new salt sheds in the Fall and reviewed UDOT's report of current projects.

Mr. Griffin responded to UDOT's rating in the Preventative Maintenance Audit. Their Region Four office has developed software that should improve their reporting issues. The software will be used for all UDOT offices statewide.

#### **❑ ADMINISTRATIVE REPORT FOR UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY**

Ken Nye with the University of Utah reviewed the Administrative Report. Mr. Nye reported that there were no significant Professional Services Agreements to report. The Construction Contracts awarded during this period consist of 25 Remodeling Contracts and 5 Site Improvement Contracts. Projects 21853, MICU Expansion, and 21868, Cath Lab 5 are both being constructed in the Hospital. In order to best manage the impact of these two projects on Hospital operations, both are being constructed using the CM/GC delivery method. The contractor for both projects

was selected under a joint selection procurement process. Project 21881, McCarthy Field Replacement is being done using the design/build delivery method. The amount budgeted for contingency in FY17 capital improvement projects will be reflected in the University's next report. There are five decreases to the contingency reserve fund to report:

- Project 21169; UMFA Humidity Remediation: Transfer of \$126,770 to address black mold that was discovered in many areas of the building as walls were opened up.
- Project 21224; HTW Plant – Replace Generator: Transfer of \$94,268 to cover additional radiographic and ultrasonic inspections of high temperature water piping welds.
- Project 21486; HTW Plant Replace Boiler 1 This transfer of \$117,475.65 covers the cost of additional radiographic and ultrasonic inspections of high temperature water piping welds (\$93,633). The remaining \$24,014 covers the cost of several unforeseen conditions, the most substantial of which was a need to provide additional programming in order to achieve necessary communications between the combustion control systems, burner management system and the existing control system for the HTW Plant.
- Project 21677; Building 587 HVAC Upgrade Transfer of \$32,055 to cover the cost of eight different unforeseen conditions, the most substantial of which required additional controllers that were not identified in the bidding documents.

Mr. Fitzsimmons commented on the increases, noting that they are all attributed to mechanical oversights. He would like to see disciplinary actions put in place to steer contractors from relying on contingencies.

Ben Berrett reviewed the Administrative Report for Utah State University. Six Professional Contracts and Nineteen Construction Contracts were issued. There were 7 draws from Contingency:

- Parking Lot Paving: \$62,000.00
- North Core Utilities Replacement & Tunnel Expansion: \$47,700.34
- RBW Family Life Chilled Water Piping: \$47,563.88
- Elevator Upgrades FY15: \$46,500.00
- Medium Voltage FY16 \$41,986.50
- Old Main Reroof-Center Section \$24,500.00
- Chilled Water Infrastructure FY16 \$6,229.15

There were no increases to the Project Reserve Fund and one decrease in the amount of \$254,513.00 for the North Core Utilities Replacement & Tunnel Expansion. Mr. Berrett stated that the amount allotted for the project was underestimated. Both the Contingency and Project Reserve fund are in good order.

#### **❑ ADMINISTRATIVE REPORT FOR DFCM**

DFCM Director Eric Tholen reported that there were no significant lease items to report. 84 Professional Services Agreements were issued, which consisted of 65 Design Agreements, and 19 Planning/Study/Other Agreements. In addition, there were 93 Construction Contracts were issued, which consisted of 8 New Space Contracts, 44 Remodeling Contracts, 10 Paving/Roofing Contracts, and 31 in the Other category. One notable bid for Item #75, University of Utah

Business Executive Education Building. This is a CM/GC agreement. The balance of the construction costs will be added by future change orders

The Capital Improvement Contingency Reserve Fund started with \$5,134,729 and ended with \$6,262,338. There were 3 transfers to projects totaling \$258,589, a decrease to the overall fund of \$2,000,000 per 2016 Legislative House Bill #2, and 4 transfers to the fund for \$3,386,198.

The Development Project Reserve Fund had 21 transfers to the fund of \$221,934 and 10 transfers out totaling \$679,076, a decrease to overall fund of \$1,225,000 per 2016 Legislative House Bill #2, leaving an ending balance of \$4,771,101.

Two items have been added to the Contingency Reserve Fund Analysis report; the total draws from contingency per project and the authorized amount less draws to date, which shows the remaining budgeted contingency amount per project. The current projection is a deficit balance of \$3,987,409m which included the FY'17 Legislative reductions of \$5M from contingency per House Bill #2. This total will improve as the balance from the FY'17 budgeted contingencies is added in.

**❑ FUTURE AGENDA ITEMS**

Mr. Reddoor confirmed that October 5<sup>th</sup> will be the Capital Development Hearing, followed by the Prioritization and Business Meeting October 6<sup>th</sup>. He also added that the deadline to submit the final version of CBE's is September 15, 2016. Rule 23-3 will be reviewed in November's meeting. The Division of Parks and Rec has been asked to come before the Board again in November to outline funding source for the Recirculation Aquaculture System project at the Springville Fish Hatchery. Utah State University has been asked to come before the Board again in November, at the earliest, to also outline their funding source for the Interlocking Cross-Laminated Timbers Building.

**❑ ADJOURNMENT**

**MOTION: Chair Carnahan moved to adjourn the meeting. The motion passed unanimously.**

The meeting adjourned at 11:50 am.