

**MINUTES**  
**STATE BUILDING COMMISSION**  
**Executive Subcommittee**  
**July 25, 2011**

The State Building Commission Executive Subcommittee met this day at 10:30 a.m. in House Hearing Room 30, Legislative Plaza, Nashville, Tennessee. Chairman Emkes called the meeting to order and requested action on the following matters as presented by State Architect Bob Oglesby.

**STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS PRESENT**

Chairman Mark Emkes, Commissioner, Department of Finance and Administration  
Vice-Chairman Tre Hargett, Secretary of State  
Justin Wilson, Comptroller of the Treasury  
David Lillard, State Treasurer

**OTHERS PRESENT**

Bob Oglesby, State Architect  
Alan Robertson, State Architect's Office  
Jurgen Bailey, Real Property Administration  
Rachel Parris, Real Property Administration  
Melanie Buchanan, Real Property Administration  
Peter Heimbach, Real Property Administration  
Genie Whitesell, Attorney General's Office  
Janie Porter, Attorney General's Office  
Melinda Parton, Comptroller's Office  
Jonathan Rummel, Secretary of State's Office  
Josh Stites, Treasurer's Office  
Bruce Davis, Legislative Budget Office  
Sean Tierney, THEC  
Scott Boelscher, THEC  
David Primeau, Department of General Services  
Stephanie Burd, Department of General Services  
Lynelle Jensen, Department of General Services  
Mark Cherpach, Department of Finance and  
Administration  
Blake Fontenay, Constitutional Officers  
Jeanne Finch, TN Parks & Greenways  
Kathleen Williams, TN Parks & Greenways  
Bob Grunow, Department of Mental Health  
Doug Varney, Department of Mental Health  
Bethany Long, Columbia State Community College  
Janet Smith, Columbia State Community College  
Jim Cobb, Tennessee Technological University  
Claire Stinson, Tennessee Technological University

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## CONSENT AGENDA

Approved the following real property transactions which had been reviewed and recommended for approval by Subcommittee staff:

- A. Agency: **University of Tennessee – Knox County**  
Transaction: Acquisition in fee  
Provision: Waiver one appraisal & advertisement
- B. Agency: **University of Tennessee – Knox County**  
Transaction: Acquisition in fee  
Provision: Waiver one appraisal & advertisement
- C. Agency: **Tennessee Board of Regents – Rutherford County**  
Transaction: Acquisition in fee  
Provision: Waiver one appraisal & advertisement
- D. Agency: **Department of Safety – Rhea County**  
Provision: Waiver of advertisement
- E. Agency: **Department of Labor & Workforce Development**  
Transaction: Lease Agreement
- F. Agency: **Department of Environment & Conservation – Cumberland County**  
Transaction: Acquisition of simple fee  
Provision: Waiver of advertisement & one appraisal
- G. Agency: **Department of Environment & Conservation – Bledsoe County**  
Transaction: Acquisition of simple fee  
Provision: Waiver of advertisement & one appraisal
- H. Agency: **Department of Environment & Conservation – Sequatchie & Hamilton Counties**  
Transaction: Acquisition of simple fee  
Provision: Waiver of advertisement & one appraisal
- I. Agency: **Department of Environment & Conservation – Jackson County**  
Transaction: Acquisition of fee  
Provision: Waiver of one appraisal
- J. Agency: **Department of Environment & Conservation – Williamson County**  
Transaction: Acquisition conservation easement  
Provision: Waiver appraisals
- K. Agency: **Department of Environment & Conservation – Williamson County**  
Transaction: Acquisition conservation easement  
Provision: Waiver appraisals

TENNESSEE BOARD OF REGENTS

**Land Transaction**

**Requested Action:** Approval to obtain title work, survey and exercise option to acquire or accept as gift required interest, not to exceed appraisal value, with waiver of one (1) appraisal

**Description:** Williamson County – 36 +/- acres – 1228 Liberty Pike, Franklin, TN – Trans. No. 10-11-008 (Maholland)

**Purpose:** Acquisition in fee to acquire property in Franklin for the benefit of Columbia State Community College. The property will be used for the relocation of Columbia State Williamson County campus.

**Source of Funding:** 2011-2012 Line Item State Appropriation Funds

**Estimated Cost:** \$6,250,000.00

**Owner(s):** Summit Strategic Investments, LLC

**Comment:** In the Master Plan. The owner has offered the property to the State in the amount of \$6,250,000 (the property appraised at \$7.8M on 12-7-2010). Funds in the amount of \$6.5M were appropriated for this transaction in the 2011-2012 state budget. Tax Assessor's Value: \$5,400,000

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee with recommendation.

**ESC Action:** 07/25/2011. Jurgen Bailey presented the transaction. Subcommittee approved the request as presented.

## TENNESSEE BOARD OF REGENTS

### Land Transaction

**Requested Action:** Approval to obtain title work, survey and exercise option to acquire or accept as gift required interest, not to exceed appraisal value, with waiver of one (1) appraisal

**Description:** Putnam County – 13.36 +/- acres – 242 East 10<sup>th</sup> Street, Cookeville, TN – Trans. No. 11-06-012 (Woodard)

**Purpose:** Acquisition in fee to acquire property to be used for parking, office space and surge space and green space outdoors for intramural sports field.

**Source of Funding:** Parking and housing revenues  
Plant Funds

**Estimated Cost:** \$2,600,000.00 or less

**Owner(s):** Tennessee Tech University Foundation

**Comment:** In the Master Plan. Property appraised in 2008 for the amount of \$3,444,000.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee with recommendation.

**ESC Action:** 07/25/2011. Jurgen Bailey presented the transaction. Subcommittee approved the request as presented.

DEPARTMENT OF MENTAL HEALTH

**Land Transaction**

**Requested Action:** Approval of disposal in fee, two appraisals and Level One study, and sale of house and property "as is"

**Description:** Davidson County – 5.94 +/- acres – Belmont Blvd., Nashville, TN – Trans. No. 11-06-003 (Woodard)

**Purpose:** Disposal in fee of property which is approximately 20% occupied, 80% vacant are homes located on this property as well as the RIP Facility. Approval to sell the property and put the money into the Mental Health Trust Fund.

**Original Cost to State:** \$183,500

**Date of Original Conveyance:** Dates range from 1962-1968

**Grantor Unto State:** Various property owners

**Estimated Sale Price:** \$2,810,000 appraisal done on 7-1-2009

**Grantee:** Department of Mental Health

**Comment:** The value is based primarily on land value the structures have little contributory value to the site. The houses would require abatement.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Jarrett Landrum with Mental Health stated that the agency wants to rid itself of a major maintenance problem with this property. Most of the improvements need to be demolished and abated. He stated that we will sell the property "as is". The RIP program is being evaluated and may close down if the agency cannot find another provider for these services. There is also potential to relocate the RIP program to another building on one of Mental Health's campuses. Staff referred to Sub Committee for discussion.

**ESC Action:** 07/25/2011. Jurgen Bailey presented the transaction. Commissioner Varney was recognized who stated that the RIP program may continue, but not by its present standards. After discussion, Subcommittee approved the request as presented.

## DEPARTMENT OF ENVIRONMENT & CONSERVATION

### Land Transaction

- Requested Action:** Approval of disposal by temporary easement with waiver of advertisement and appraisals
- Description:** Dickson, Cumberland, Henry, Hardin, Davidson Counties – Montgomery Bell, Fall Creek Falls, Cumberland Mountain, Paris Landing, Pickwick Landing & Radnor Lake State Parks, TN – Trans. No. 11-06-013 (Baugh)
- Purpose:** Disposal by special services to notification to change two (2) existing parking spaces at each of these State parks into electric vehicle charging stations.
- Estimated Sale Price:** N/A
- Source of Funding:** Grant from the U S Department of Energy
- Grantee:** Ecotality North America
- SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Bill Avant with Environment and Conservation introduced Stephanie Cox, with Ecotality North America. Ms. Cox stated that this is a pilot program through a grant with the Department of Energy to deploy 14,000 electrical car chargers to 18 major cities in six states. The program grants free installation of the equipment to the state. This program will be evaluated until April 13, 2013 and further recommendations will be made. Ownership of the improvements will be transferred to the State on December 12, 2012. There will be a 50/50% split on the charging fee that will be shared with State and Ecotality. After 2012 the State will receive 100% of the funds derived from these charging stations. Staff referred to Subcommittee with recommendation.
- ESC Action:** 07/25/2011. Jurgen Bailey presented the transaction. The subject of charging stations for vehicles at State Parks was discussed. Secretary Hargett raised concerns that the charging stations were not being installed in major metropolitan areas as stated on their website as being part of the grant process. Stephanie Cox of Ecotality North America, responded that the grant provides for these charging stations to be installed in State Parks where many tourists visit adding to the probability of more people using those stations at State Parks in addition to residents of metropolitan areas. She stated that the grant also provides protection of the State's natural resources at these parks. Secretary Hargett encouraged that parts of the language on their website be changed to reflect that there are other places besides large metropolitan areas to charge vehicles. Subcommittee approved the request as presented.

## DEPARTMENT OF FINANCE & ADMINISTRATION

### Special Land Item:

**Requested Action:** Acknowledgment to assemble a plan to dispose of the Henley Street State Office Building in Knoxville, and approval of waiver of advertisement and one appraisal

### **Background Information:**

- Nine different agencies currently occupy 73,382 sq. ft. at Henley Street State Office Building.
- Available State space in Knoxville on Middlebrook Pike: 33,649 sq. ft.
- Additional space needed for State employees: 39,733+/- sq. ft.
- Assessment will need to be completed to determine space needs for remainder employees.
- Henley Street SOB is jointly owned by State and City of Knoxville. Requesting approval to get an appraisal in conjunction with the City of Knoxville.
- There is shared mechanical between Henley Street and adjoining hotel.
- Estimated renovation costs for Henley Street SOB: \$7.9 million
- Appraisal completed March 10, 2005 on Henley Street SOB: \$1,500,000.

**ESC Action:** 07/25/2011. Jurgen Bailey briefed members with regard to the disposal of property at 531 Henley Street. He stated that the adjoining hotel has expressed an interest in the purchase of the property which houses several State agencies that will have to be relocated. After discussion, Subcommittee approved the request as presented.

## STATE BUILDING COMMISSION

### Minutes of Executive Subcommittee Meeting

- 1) Approved the Minutes of the Executive Subcommittee meeting held on June 22, 2011.

### Report of Bid Withdrawals (in accordance with Item 5.01(E)(5)(d) of the *SBC By-Laws, Policy & Procedures*)

- 1) **Bidder:** Ceiling & Floor Restorations, Inc.  
**Project Location:** East Tennessee State University  
**Project Title:** Yoakley & Gilbreath Halls Building Envelope and Window Repairs  
**SBC No.** 166/005-08-2009  
**Bid date:** 04/07/2011  
**Designer:** McGahey & Associates  
**SBC Action:** The bidder, Ron Plombon, was present to appeal the decision made by the Bid Error Review Panel to revoke his bid security. After discussion, the Commission referred the matter to the Executive Subcommittee, with authority to act.

**ESC Action:** 07/25/2011. State Architect Bob Oglesby reminded the Subcommittee that the SBC had discussed this matter previously when Mr. Brian Plombon was present to appeal the Bid Error Review Panel's recommendation to revoke his bid security based on his bid withdrawal and the Panel's decision that it was bad judgment and not a clerical error. He said that when Mr. Plombon appealed the decision, he also presented some new information that the Panel had not heard, so the item was referred to the Executive Subcommittee, with authority to act. Mr. Oglesby stated that staff had discussed the matter further and provided the documentation to the Subcommittee. He said the information provided by the owner to the designers that were pursuing the bids, was found to be accurate and complete, and the Panel stood behind their recommendation to revoke Mr. Plombon's bid security.

Mr. Plombon was recognized. He stated that he believed the mistake was clerical in nature and was due to some lack of clarity in what the bid documents had asked for, particularly whether or not the buildings to be done had asbestos in them. He said that prior to the bid, the buildings had not been tested for asbestos and it wasn't known at the time whether or not they had asbestos in them. He said they prepared their bid but were not going to charge for something that was not required. He said they figured that if there was asbestos in the buildings later that tested that way, it could be handled by change order.

Mr. Oglesby responded that there was no confusion as to what the scope of work was since it was clearly stated what the owner intended to do, which was directing them to abate the windows regardless as to whether there was any abatement required or not. He said that if Mr. Plombon had been more thorough in reviewing all the documents provided, he would have found that out.

Secretary Hargett asked Mr. Oglesby if he had calculated what the State's actual damages were as a result to Mr. Plombon having withdrawn his bid, and was told "no". Mr. Oglesby responded that his estimate was significantly lower by about \$60,000 than the second low bidder and, by him withdrawing, they will take the

higher bid, which is not a direct penalty to that. The cost to the bidder is 5% of his bid amount, just under \$8,000, and the cost to the State, as far as any damages, would be the cost to deal with the matter properly.

Mr. Plombon commented that the job was eventually awarded to a local company, J.E. Green Company, who has completed the job \$12,000 under budget. He asked, by withdrawing his bid and allowing a local company to finish the job for \$12,000 less than the budgeted amount, who was hurt by that.

Comptroller Wilson asked Mr. Plombon if he asked whether or not there was any asbestos, and Mr. Plombon replied that his project manager did. Comptroller Wilson asked what was he told, and by whom. Mr. Plombon responded that at the preconstruction meeting, he was told that the building had not been tested and no one knew if there was asbestos. Comptroller Wilson confirmed that he was aware the building had not been tested, and was told "yes".

Mr. Oglesby clarified that this is Phase 2 of the project and there had been samplings done on many of the windows, but it was the recommendation of the owner to not sample further or to test all the windows, but to just do replacement because they were similar in nature and age to the windows they had tested which were found needing abatement. He said that was why others had not been tested and the scope was clearly defined, which was what they had intended to bid.

Mr. Plombon stated that if the Subcommittee is determined to penalize his company, he would prefer that any penalty be paid directly by him rather than forfeiture of the bid bond. He said that bonding is very difficult to obtain these days and any blemish on one's record can be grounds for complete withdrawal of the bonding line, which could mean shutting down his business. Mr. Oglesby responded that the members of the Bid Error Review Panel were in support of that position.

Mr. Plombon again asked who was hurt by this bid withdrawal. He stated that if the Subcommittee or individuals had to spend some time on this matter that they believe should be compensated for, he could understand that position, but he would like to know how much those actual costs would be.

Treasurer Lillard asked Mr. Plombon that if he were to pay the amount in cash, how many days would it take him, and was told "by the end of the week". Treasurer Lillard made a motion to uphold the Panel's decision to forfeit his bid bond conditioned upon the fact that, if he pays it in cash within 15 days to the State, then the bid bond will not be forfeited to the State but can be returned to Mr. Plombon. The motion was seconded by Secretary Hargett and passed without objection.

Mr. Plombon then asked what would be a fair and appropriate amount, and Mr. Oglesby responded, "the Committee supports the recommended amount of \$7,960.00". Mr. Plombon asked if that was what the State incurred, to which Mr. Oglesby replied "no, that's not been calculated, but I would estimate it to be much higher than that".

Mr. Plombon responded that he would be interested in seeing that calculation, and Mr. Oglesby replied that it was immaterial. Mr. Plombon said that his bid amount was \$126,400, and 5% of that is \$6,320. Mr. Oglesby replied that it was based on his base bid plus alternates 1 and 2, totaling \$159,200. Mr. Plombon asked if the alternates were accepted when the contract was awarded, and was told that he bid the alternates and his alternates would have been accepted had it been awarded. Mr. Plombon asked if the alternates were accepted by the company who was awarded the job, and was told that was not relevant to the conversation.

Treasurer Lillard stated that he has been a lawyer for 30 years with a practice in this area and bid bonds like this are intended to be a penalty among other things for a failure to honor your original bid including alternates. He said he has represented clients before who have had bid bonds forfeited, and he was sorry that they found themselves in this position. However, he said that they have given the matter a thorough and full review, in fact, a re-review since the last hearing. He said they appreciated his willingness to talk to them and had considered seriously all of his arguments. But that's the law and this is the way it works.

Mr. Plombon said he understood and wanted to be fair in this process, adding that no one has spent more time on this than he has, citing his various travel and conference calls, but he said he didn't spend \$7,960 on this process. Yet, he was being told it was more than that and was trying to figure out how that could be. Chairman Emkes stated that the Subcommittee had reached its conclusion on the matter and it was time to move on to the next item, and thanked Mr. Plombon for his participation.

## Designer Selections

Approved the following designer selections for projects approved by the State Building Commission.

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| 1) <b>Alvin C. York Institute</b><br>(Campus Paving Repairs)<br>Estimated Project Cost: \$1,130,000.00<br>SBC Project No. 168/001-01-2011<br>Designer: <b>Barge Cauthen &amp; Assoc</b>               | 5) <b>TWRA – Region 2</b><br>(Boat Accident Investigation /Storage)<br>Estimated Project Cost: \$315,000.00<br>SBC Project No. 220/018-04-2011<br>Designer: <b>Kennon Architects</b>               |
| 2) <b>Tennessee School of the Deaf</b><br>(Storm Damage Repairs)<br>Estimated Project Cost: \$1,000,000.00<br>SBC Project No. 168/007-01-2011<br>Designer: <b>Upland Design Group</b>                 | 6) <b>TWRA - Statewide</b><br>(Architectural Consultant)<br>Estimated Project Cost: \$50,000.00<br>SBC Project No. 220/000-01-2011<br>Designer: <b>Binkley Garcia Architecture</b>                 |
| 3) <b>Houston Barracks - Nashville</b><br>(Cooling System Addition & Update)<br>Estimated Project Cost: \$580,000.00<br>SBC Project No. 361/067-02-2011<br>Designer: <b>Mazzetti Nash Lipsey</b>      | 7) <b>West TN Regional Health Building</b><br>(Chiller Replacement – Phase 1)<br>Estimated Project Cost: \$340,000.00<br>SBC Project No. 408/005-01-2011<br>Designer: <b>TLM Associates</b>        |
| 4) <b>Russellville Readiness Center</b><br>(Maintenance Training Workbay)<br>Estimated Project Cost: \$440,000.00<br>SBC Project No. 361/063-01-2011<br>Designer: <b>Shaw &amp; Shanks Architects</b> | 8) <b>John Sevier State Office Building</b><br>(Modernize Passenger Elevators)<br>Estimated Project Cost: \$680,000.00<br>SBC Project No. 460/070-01-2011<br>Designer: <b>Centric Architecture</b> |

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| <p>9) <b>William R. Snodgrass TN Tower</b><br/>(Print Services Consolidation)<br/>Estimated Project Cost: \$1,800,000.00<br/>SBC Project No. 529/079-02-2011<br/>Designer: <b>The CFP Group</b></p>                         | <p>16) <b>University of Tennessee Institute of Agri</b><br/>(College of Vet Med Bldg Improvements)<br/>Estimated Project Cost: \$4,840,000.00<br/>SBC Project No. 540/009-02-2011<br/>Designer: <b>Smee + Busby Architects</b></p> |
| <p>10) <b>R.S. Gass Lab Building</b><br/>(Reroof and Exterior Updates)<br/>Estimated Project Cost: \$950,000.00<br/>SBC Project No. 406/003-01-2011<br/>Designer: <b>Kline Swinney Associates</b></p>                       | <p>17) <b>University of Tennessee Knoxville</b><br/>(Utilities Infrastructure Study)<br/>Estimated Project Cost: \$1,250,000.00<br/>SBC Project No. 540/009-15-2011<br/>Designer: <b>Barge Waggoner Sumner Cannon</b></p>          |
| <p>11) <b>Knoxville State Plaza</b><br/>(Roof Replacement / HVAC Upgrades)<br/>Estimated Project Cost: \$650,000.00<br/>SBC Project No. 526/010-01-2011<br/>Designer: <b>Cope Associates</b></p>                            | <p>18) <b>University of Tennessee Knoxville</b><br/>(Ferris Hall Renovations)<br/>Estimated Project Cost: \$6,000,000.00<br/>SBC Project No. 540/009-16-2011<br/>Designer: <b>Weeks Ambrose McDonald</b></p>                       |
| <p>12) <b>Chattanooga State Office Building</b><br/>(Mechanical Systems Upgrade)<br/>Estimated Project Cost: \$1,970,000.00<br/>SBC Project No. 520/001-01-2011<br/>Designer: <b>Deferred action</b></p>                    | <p>19) <b>University of Tennessee Knoxville</b><br/>(Todd Helton Drive Realignment)<br/>Estimated Project Cost: \$750,000.00<br/>SBC Project No. 540/009-17-2011<br/>Designer: <b>Wilbur Smith</b></p>                             |
| <p>13) <b>State Library &amp; Archives Building</b><br/>(Vault HVAC Upgrade)<br/>Estimated Project Cost: \$350,000.00<br/>SBC Project No. 529/043-01-2011<br/>Designer: <b>Smith Seckman Reid</b></p>                       | <p>20) <b>University of Tennessee Knoxville</b><br/>(Panhellenic Building Renovations)<br/>Estimated Project Cost: \$1,500,000.00<br/>SBC Project No. 540/009-18-2011<br/>Designer: <b>CH2M Hill</b></p>                           |
| <p>14) <b>University of Tennessee Chattanooga</b><br/>(Lupton Library Classroom Retrofit)<br/>Estimated Project Cost: \$3,500,000.00<br/>SBC Project No. 540/005-02-2011<br/>Designer: <b>Derthick Henley Wilkerson</b></p> | <p>21) <b>University of Tennessee Martin</b><br/>(Campus Elevator Upgrades)<br/>Estimated Project Cost: \$3,750,000.00<br/>SBC Project No. 540/011-02-2011<br/>Designer: <b>The Horrell Group</b></p>                              |
| <p>15) <b>University of Tennessee Chattanooga</b><br/>(Holt Hall Improvements)<br/>Estimated Project Cost: \$7,450,000.00<br/>SBC Project No. 540/005-03-2011<br/>Designer: <b>Artech</b></p>                               | <p>22) <b>University of Tennessee Martin</b><br/>(Elam Center Bleacher Replacement)<br/>Estimated Project Cost: \$780,000.00<br/>SBC Project No. 540/011-01-2011<br/>Designer: <b>Buchart Horn</b></p>                             |

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| <p>23) <b>University of Tennessee HSC Memphis</b><br/>(Alexander Building Improvements)<br/>Estimated Project Cost: \$3,130,000.00<br/>SBC Project No. 540/013-02-2011<br/>Designer: <b>Pickering Firm</b></p>                 | <p>30) <b>Middle Tennessee State University</b><br/>(Saunders Fine Arts HVAC Updates)<br/>Estimated Project Cost: \$1,290,000.00<br/>SBC Project No. 166/009-05-2011<br/>Designer: <b>Smith Seckman Reid</b></p>        |
| <p>24) <b>Tennessee Board of Regents – Statewide</b><br/>(TTC Roof Replacements – East TN)<br/>Estimated Project Cost: \$1,120,000.00<br/>SBC Project No. 166/000-01-2011<br/>Designer: <b>Design Innovations</b></p>          | <p>31) <b>East Tennessee State University</b><br/>(Accessibility and Code Corrections)<br/>Estimated Project Cost: \$1,500,000.00<br/>SBC Project No. 166/005-01-2011<br/>Designer: <b>Ken Ross Architects</b></p>      |
| <p>25) <b>Tennessee Board of Regents – Statewide</b><br/>(TTC Roof Replacements – Middle TN)<br/>Estimated Project Cost: \$1,120,000.00<br/>SBC Project No. 166/000-01-2011<br/>Designer: <b>Adkisson &amp; Associates</b></p> | <p>32) <b>Dyersburg State Community College</b><br/>(Glover Roof Replacement)<br/>Estimated Project Cost: \$260,000.00<br/>SBC Project No. 166/017-02-2011<br/>Designer: <b>McGehee Nicholson Burke</b></p>             |
| <p>26) <b>Tennessee Board of Regents – Statewide</b><br/>(TTC Roof Replacements – West TN)<br/>Estimated Project Cost: \$1,120,000.00<br/>SBC Project No. 166/000-01-2011<br/>Designer: <b>Hart Freeland Roberts</b></p>       | <p>33) <b>Jackson State Community College</b><br/>(Several Bldgs Plumbing Corrections)<br/>Estimated Project Cost: \$400,000.00<br/>SBC Project No. 166/019-03-2011<br/>Designer: <b>Smith Seckman Reid</b></p>         |
| <p>27) <b>East Tennessee State University</b><br/>(CoM Bldgs HVAC Corrections)<br/>Estimated Project Cost: \$1,500,000.00<br/>SBC Project No. 166/005-04-2011<br/>Designer: <b>Facility Systems Consultants</b></p>            | <p>34) <b>Motlow State Community College</b><br/>(Underground Piping Replacement)<br/>Estimated Project Cost: \$310,000.00<br/>SBC Project No. 166/021-03-2011<br/>Designer: <b>Kurzynske &amp; Associates</b></p>      |
| <p>28) <b>East Tennessee State University</b><br/>(CoM Several Bldgs Exterior Updates)<br/>Estimated Project Cost: \$1,500,000.00<br/>SBC Project No. 166/005-03-2011<br/>Designer: <b>Ken Ross Architects</b></p>             | <p>35) <b>Volunteer State Community College</b><br/>(Warf Bldg HVAC Replacement)<br/>Estimated Project Cost: \$600,000.00<br/>SBC Project No. 166/025-02-2011<br/>Designer: <b>Kurzynske &amp; Associates</b></p>       |
| <p>29) <b>University of Memphis</b><br/>(Various Roof Replacements)<br/>Estimated Project Cost: \$5,600,000.00<br/>SBC Project No. 166/007-05-2011<br/>Designer: <b>McGehee Nicholson Burke<br/>and The Horrell Group</b></p>  | <p>36) <b>Pellissippi State Community College</b><br/>(Several Bldgs Elevator Updates)<br/>Estimated Project Cost: \$150,000.00<br/>SBC Project No. 166/032-02-2011<br/>Designer: <b>Engineering Services Group</b></p> |

\*Due to the requirements of this project, two designers are needed.

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| <p>37) <b>Northeast State Community College</b><br/> (Auditorium Updates)<br/> Estimated Project Cost: \$210,000.00<br/> SBC Project No. 166/038-01-2011<br/> Designer: <b>Ken Ross Architects</b></p>                      | <p>42) <b>Roane State Community College</b><br/> (Several Bldgs HVAC Corrections)<br/> Estimated Project Cost: \$460,000.00<br/> SBC Project No. 166/027-02-2011<br/> Designer: <b>Engineering Services Group</b></p> |
| <p>38) <b>East Tennessee State University</b><br/> (CoM Drainage Systems Improvements)<br/> Estimated Project Cost: \$850,000.00<br/> SBC Project No. 166/005-02-2011<br/> Designer: <b>Ken Ross Architects</b></p>         | <p>43) <b>Columbia State Community College</b><br/> (Library HVAC Updates)<br/> Estimated Project Cost: \$560,000.00<br/> SBC Project No. 166/015-01-2011<br/> Designer: <b>Smith Seckman Reid</b></p>                |
| <p>39) <b>Middle Tennessee State University</b><br/> (Domestic Water/Sewer System Update)<br/> Estimated Project Cost: \$460,000.00<br/> SBC Project No. 166/009-04-2011<br/> Designer: <b>Barge Cauthen Associates</b></p> | <p>44) <b>Southwest TN Community College</b><br/> (Union Campus Mech Systems Updates)<br/> Estimated Project Cost: \$1,020,000.00<br/> SBC Project No. 166/033-01-2011<br/> Designer: <b>Smith Seckman Reid</b></p>   |
| <p>40) <b>Chattanooga State Community College</b><br/> (Several Bldgs Envelope Repairs)<br/> Estimated Project Cost: \$730,000.00<br/> SBC Project No. 166/012-02-2011<br/> Designer: <b>Hefferlin + Kronenberg</b></p>     | <p>45) <b>East Tennessee State University</b><br/> (Recreation Facility Expansion)<br/> Estimated Project Cost: \$7,000,000.00<br/> SBC Project No. 166/005-08-2011<br/> Designer: <b>Ken Ross Architects</b></p>     |
| <p>41) <b>Walters State Community College</b><br/> (Greenville Sewer Corrections)<br/> Estimated Project Cost: \$740,000.00<br/> SBC Project No. 166/023-02-2011<br/> Designer: <b>Facility Systems Consultants</b></p>     | <p>46) <b>East Tennessee State University</b><br/> (Parking Garage Construction)<br/> Estimated Project Cost: \$21,500,000.00<br/> SBC Project No. 166/005-06-2011<br/> Designer: <b>Barber McMurry</b></p>           |

\* \* \* \* \*

There being no further business, the meeting adjourned.

UNIVERSITY OF TENNESSEELand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value, with waiver of advertisement and appraisals

**Description:** Knox County – 0.65 +/- acres – Mann Street, Knoxville, TN – Trans. No. 11-05-011 (Baugh)

**Purpose:** Acquisition in fee to utilize for the construction of recreational fields on Sutherland Avenue.

**Source of Funding:** University of Tennessee Auxiliary Funds

**Estimated Cost:** Gift

**Owner(s):** City of Knoxville

**Comment:** Property acquired by owner on 11-24-1969  
Purchase Price \$1.00  
Tax Assessor's value: not addressed in tax records because it is City property  
Improvement square footage: none – unimproved land

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

UNIVERSITY OF TENNESSEELand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value, with waiver of advertisement and appraisals

**Description:** Knox County – 1.34 +/- acres – Mann Street, Knoxville, TN – Trans. No. 11-05-012 (Baugh)

**Purpose:** Acquisition in fee to utilize for the construction of recreational fields on Sutherland Avenue.

**Source of Funding:** University of Tennessee Auxiliary Funds

**Estimated Cost:** Gift

**Owner(s):** City of Knoxville

**Comment:** Property acquired by owner on 11-15-1929  
Purchase Price \$40,000  
Tax Assessor's value: not addressed in tax records because it is City property  
Improvement square footage: none – unimproved land

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

TENNESSEE BOARD OF REGENTSLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value, with waiver of advertisement and one (1) appraisal

**Description:** Rutherford County – 0.32 +/- acres – 1902 Greenland Drive, Murfreesboro, TN – Trans. No. 08-09-003 (Maholland)

**Purpose:** Acquisition in fee to acquire property due to this parcel being the remaining parcel needed for the new north entrance at the campus.

**Source of Funding:** Auxiliary Funds

**Estimated Cost:** Fair Market Value

**Owner(s):** MTSU Foundation

**Comment:** Property acquired by owner on 6-8-2011  
Purchase Price \$167,800  
Tax Assessor's value: \$131,100  
In MTSU Master Plan  
House will be demolished after they acquire the property

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF SAFETYLand Transaction

**Further Action Requested:** Approval of waiver of advertisement

**Original Request:** Approval of disposal of interest in real property with waiver of one (1) appraisal

**Description:** Rhea County – 0.57 +/- acres – Land & Communication Tower, Spring City, TN – Trans. No. 10-12-019 (Jackson)

**Purpose:** Disposal in fee to sell the Tower site to Wireless Properties II, LLC (0.21 acres).  
Disposal by easement to grant access to Wireless Properties II, LLC (0.36 acres).

**Original Cost to State:** \$150,000 Land & Tower

**Date of Original Conveyance:** July 31, 2008

**Grantor Unto State:** Francis & Patricia Maddux

**Estimated Sale Price:** \$150,000 Land & Tower

**Grantee:** Wireless Properties II, LLC

**Comment:** Department purchased the tower in 2008 and now no longer needs the site and would like to sell it.

**SSC Report:** 01-19-2011. Jurgen Bailey summarized the transaction. Staff recommended an appraisal be completed on the site and tower and the item be brought back for further consideration when fair market value had been determined. Staff deferred for one month.

**SSC Report:** 02-14-2011. Jurgen Bailey summarized the transaction. Staff deferred for one month until appraisal is completed. Staff referred to the consent agenda for appraisal only.

**SC Action:** 02-22-2011. Subcommittee approved the transaction as presented.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT

**Lease Agreement**

**Requested Action:** Approval of lease agreement

**Location:** Davidson County – 293 Plus Park Blvd., Nashville, TN – Trans. No. 11-03-901 (Lotspiech)

**Purpose:** To provide office space for 19 staff.

**Term:** January 1, 2012 thru December 31, 2016 (5 yrs)

**Proposed Amount:**

<u>7,686 Square Feet</u>			
Annual Contract Rent Incl. Utility Cost:	\$ 92,251.00	@ \$12.00 / sf	
Est. Annual Janitorial Cost:	<u>\$ 8,454.60</u>	<u>@ \$ 1.10 / sf</u>	
Total Annual Effective Cost:	\$100,705.60	@ \$13.10 / sf	

**Current Amount:**

<u>6,000 Square Feet</u>			
Annual Contract Rent:	\$62,625.00	@ \$10.44 / sf	
Est. Annual Utility Cost:	\$10,500.00	@ \$ 1.75 /sf	
Est. Annual Janitorial Cost:	<u>\$ 6,600.00</u>	<u>@ \$ 1.10 /sf</u>	
Total Annual Effective Cost:	\$79,725.00	@ \$ 13.29 / sf	

**Type:** New lease – advertise – received nine (9) proposals from five (5) proposers. The 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> lowest proposal was from the current lessor that is non-conforming due to square footage not within the advertise range.

**Advertising Range:** Within the city limits of Nashville, TN and within the following boundaries: Bounded on the North by I-440/ I-24; bounded on the West by I-65; Bounded on the East by Murfreesboro Road, bounded on the South by Bell Road.

**FRF Rate:** \$18.00

**Source of Funding:** 100% Federal Funds

**Lessor:** Daymar Properties of Nashville, LLC

**Comment:** The proposed lease is for five (5) years and is renovate to suit facility at no additional cost to the State. No State cancellation cause except for cause or lack of funding. Increase of space is due to new additional staff from 17 to 19.

**Department of Labor & Workforce Development – continued:**

**SSC Report:** 07/18/2011. Melanie Buchanan summarized the transaction. Chester Lowe reported that the current space has been a major maintenance problem for the agency and the current Lessor has been unresponsive to their maintenance requests. This new proposed Lessor has been a good Lessor to the State in the past and has been very responsive to State's needs. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

**Land Transaction**

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value, with waiver of advertisement and one (1) appraisal

**Description:** Cumberland County – 325 +/- acres – Justin P. Wilson Cumberland Trail, Crossville, TN – Trans. No. 10-04-012 (McLeod)

**Purpose:** Acquisition in fee simple to obtain the property for the Justin P. Wilson Cumberland Trail from the IRS directly or by bid at auction at no more than appraisal value.

**Estimated Sale Price:** \$581,400

**Source of Funding:** \$612,000 TEA – 21 Viewshed Grant  
\$153,000 State Land Acquisition Fund

**Estimated Title, Appraisal and Survey Fees:** Fair Market Value

**Owner(s):** Tenn-Tex Trust / IRS Foreclosure

**Comment:** Previously approved 5-24-10 & 8-31-10.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATIONLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value, with waiver of advertisement and one (1) appraisal

**Description:** Bledsoe County – 101 +/- acres – Justin P. Wilson Cumberland Trail, Crossville, TN – Trans. No. 10-10-004 (McLeod)

**Purpose:** Acquisition in fee simple to obtain the property for the Justin P. Wilson Cumberland Trail from the IRS directly or by bid at auction at no more than appraisal value.

**Estimated Sale Price:** \$183,600

**Source of Funding:** TEA – 21 Viewshed Grant & State Land Acquisition Fund

**Estimated Title, Appraisal and Survey Fees:** Fair Market Value

**Owner(s):** Tenn-Tex Trust / IRS Foreclosure

**Comment:** Previously approved 5-24-10 & 8-31-10.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

**Land Transaction**

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value, with waiver of advertisement and one (1) appraisal

**Description:** Sequatchie County 43 +/- acres in fee / 47 +/- acres easement & Hamilton County 70 +/- acres easement – North Chickamauga Creek State Natural Area, Justin P. Wilson Cumberland Trail, Chattanooga, TN – Trans. No. 10-11-015 A & B (McLeod)

**Purpose:** Acquisition in fee simple to obtain the easement area and Grantor may retain easement for ingress and egress.

**Estimated Sale Price:** \$600,000

**Source of Funding:** North Chick Conservancy & State Land Acquisition Fund

**Estimated Title, Appraisal and Survey Fees:** Fair Market Value

**Owner(s):** Bryan Patton

**Comment:** Previously approved 12-22-10.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

**Land Transaction**

<b>Requested Action:</b>	<b>Approval to obtain title work, survey and exercise option to acquire or accept as gift required interest, not to exceed appraisal value with waiver of one (1) appraisal</b>
<b>Description:</b>	<u>Jackson County – 211 +/- acres – Cummins Falls Tract, Gainesboro, TN – Trans. No. 11-05-019 (Jackson)</u>
<b>Purpose:</b>	Acquisition in fee to acquire Cummins Falls which is one of the finest waterfalls in Tennessee. A Cookeville resident Dr. Glenn Hall purchased the land and has agreed to give the TN Parks and Greenways Foundation one year to buy the land from him.
<b>Estimated Sale Price:</b>	Fair Market Value or Less
<b>Source of Funding:</b>	\$550,000 - 2011 State Land Acquisition Funds \$435,000 - Land & Water Conservation Fund \$349,127 (25 acres) - TN Parks & Greenway Foundation \$100,000 - TWRA Federal Grant \$ 50,000 - The Nature Conservancy
<b>Owner(s):</b>	Dr. Glenn Hall TN Parks & Greenway Foundation
<b>SSC Report:</b>	6/13/2011. Jurgen Bailey summarized the transaction. Request was made by agency to have TN Parks and Greenway to acquire the property on behalf of the State. Staff referred to Subcommittee with recommendation.
<b>SC Action:</b>	06/22/2011. Jurgen Bailey presented the transaction. Comptroller Wilson made a motion to defer the item until the next meeting. The motion was seconded and passed without objection.
<b>SSC Report:</b>	07/18/2011. Jurgen Bailey summarized the transaction. Melinda Parton stated that Comptroller Wilson had some further questions regarding this transaction that have subsequently been answered. Staff referred to Sub Committee for consent agenda.
<b>ESC Action:</b>	07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATIONLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey, conservation easement and exercise option to acquire or accept as gift required interest, not to exceed appraised value and waiver of appraisals

**Description:** Williamson County – 4.89 +/- acres – Lorings Advance / Featherston's Brigade – Battle of Franklin, Franklin, TN – Trans. No. 11-06-007 (Jackson)

**Purpose:** Acquisition to obtain a conservation easement. The Lorings Advance Civil War property is an integral part of the Battle of Franklin and if lost to development, it will negatively affect the historical integrity of the surrounding battlefield properties.

**Estimated Cost:** \$5000 for Administrative fee

**Source of Funding:** Civil War Preservation Trust

**Owner(s):** Civil War Trust

**Comment:** Property is recognized as the epicenter of the Battle of Franklin. The Historical Commission has approved accepting the conservation easement. This conservation easement is a requirement by the FEDS so the Civil War Trust can be reimbursed for all of its expenses in acquiring this property.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

**Land Transaction**

**Requested Action:** Approval to obtain title work, appraisal, survey, conservation easement and exercise option to acquire or accept as gift required interest, not to exceed appraised value and waiver of appraisals

**Description:** Williamson County – 0.22 +/- acres – Fudge Property – Battle of Franklin, Franklin, TN – Trans. No. 11-06-011 (Jackson)

**Purpose:** Acquisition to obtain a conservation easement. The Fudge property is commercially developed and is an integral part of the Battle of Franklin it will negatively affect the historical integrity of the surrounding battlefield properties.

**Estimated Cost:** \$5000 for Administrative fee

**Source of Funding:** Civil War Preservation Trust

**Owner(s):** Civil War Trust

**Comment:** Property is recognized as the epicenter of the Battle of Franklin. The Historical Commission has approved accepting the conservation easement. This conservation easement is a requirement by the FEDS so the Civil War Trust can be reimbursed for all of its expenses in acquiring this property.

**SSC Report:** 07/18/2011. Jurgen Bailey summarized the transaction. Staff referred to Sub Committee for consent agenda.

**ESC Action:** 07/25/2011. Subcommittee approved the transaction as presented.

Approved:

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Mark A. Emkes, Commissioner  
Department of Finance and Administration