

MINUTES

STATE BUILDING COMMISSION MEETING

February 9, 2006

The State Building Commission met this day at 11:00 a.m. in House Hearing Room 30 of the Legislative Plaza, Nashville, Tennessee, with the following State Building Commission members and Departments present.

11:10 a.m.	Department of Environment and Conservation	Commissioner Jim Fyke
11:14 a.m.	Military Department	General David Greer
11:15 a.m.	University of Tennessee	Dr. John Petersen
11:25 a.m.	Tennessee Board of Regents	Chancellor Charles Manning
11:35 a.m.	Department of Finance and Administration	
11:40 a.m.	State Building Commission	

STATE BUILDING COMMISSION MEMBERS PRESENT

Lieutenant Governor John S. Wilder, Speaker of the Senate
Jimmy Naifeh, Speaker of the House of Representatives
John G. Morgan, Comptroller of the Treasury
Riley Darnell, Secretary of State
Dale Sims, State Treasurer

STATE BUILDING COMMISSION MEMBERS ABSENT

Governor Phil Bredesen
Dave Goetz, Commissioner, Department of Finance and Administration

OTHERS PRESENT

Mike Fitts, State Architect	George Brummett, Department of Finance and Administration
Georgia Martin, Dept of Finance and Administration	Tim Stewart, Military Department
Charles Garrett, Dept of Finance and Administration	Alvin Payne, University of Tennessee
Charles Harrison, Comptroller's Office	Gary Rogers, University of Tennessee
Connie Hardin, Legislative Budget Office	George Criss, University of Tennessee
Mark Wood, Secretary of State's Office	Reggie Reeves, Department of Environment and Conservation
Genie Whitesell, Attorney General's Office	Mike Morrow, Department of Finance and Administration
Nancy Blevins, Dept of Finance and Administration	Ken Swann, Heery
David Gregory, Tennessee Board of Regents	Paula Harris, Barge Waggoner Sumner Cannon
Jerry Preston, Tennessee Board of Regents	Rick Russell, Barge Waggoner Sumner Cannon
Diane Uhler, Tennessee Board of Regents	Mark Cherpack, Department of Finance and Administration
Pat Haas, Bond Finance	
Dennis Raffield, THEC	
Dwight Hensley, Department of Environment and Conservation	

Lieutenant Governor Wilder called the meeting to order at 11:10 a.m. and requested action on the following matters as presented by State Architect Michael A. Fitts.

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

11:10 a.m.

Commissioner Fyke requested action on the following matters.

HENRY HORTON STATE PARK, MARSHALL COUNTY, TENNESSEE

- 1) Commissioner Fyke presented a request for approval of a project and acknowledgment of the source of funding for **Campground Bathhouse Upgrade** at Henry Horton State Park, Marshall County, with design assistance by departmental consultant. He asked State Architect Mike Fitts to explain the issue concerning bonding requirements. Mr. Fitts stated that this project was bid through Purchasing with an estimate of less than \$100,000. He said that when bids came in, the low bid exceeded \$100,000, thereby requiring SBC approval. He explained that public contract law requires a 25% performance and payment bond, whereas SBC requires a 100% bond, and Purchasing cannot alter the 25% bond without rebidding. Consequently, he said, they were requesting a waiver of the 100% bond in this unique instance such that Purchasing can award the contract, and the project can proceed. Secretary of State Darnell asked Mr. Fitts if the 25% bond would provide adequate protection for the State. Mr. Fitts replied that he thought it would. After discussion, the Commission approved the project and the waiving of SBC policy to require 100% performance bond in lieu of a 25% bond.

Estimated Project Cost: **\$120,000.00**
SBC Project No. *126/051-01-2006*

- 2) Approved a request for a revision in funding and acknowledgment of the source of funding from \$410,000.00 to \$445,000.00 (\$35,000.00 increase) of a project for **Water System Upgrade** at Henry Horton State Park, Marshall County, Tennessee.

Revised Estimated Project Cost: **\$445,000.00**
SBC Project No. *126/051-01-2005*

CUMBERLAND TRAIL STATE PARK, CAMPBELL COUNTY, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Storage Building** at Cumberland Trail State Park, Campbell County.

Estimated Project Cost: **\$2,000.00**
SBC Project No. *126/031-01-2006*

SHORT SPRINGS STATE NATURAL AREA, COFFEE COUNTY, TENNESSEE

- 1) Approved a request for acceptance of "gift-in-place" construction for **Bridge Over Bobo Creek** at Short Springs State Natural Area, Coffee County, with waiver of insurance and bonding requirements, and with project design and construction provided by The Tennessee Trails Association.

Estimated Cost for Materials Only:	\$5,000.00
<i>SBC Project No.</i>	<i>126/094-01-2006</i>

MILITARY DEPARTMENT

11:14 a.m.

General Greer requested action on the following matters.

STATEWIDE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$80,000.00 to \$180,000.00 (\$100,000.00 increase) of a project for **Environmental Consultant** for Military facilities, statewide.

Revised Estimated Project Cost: \$180,000.00
SBC Project No. 361/000-05-2005

- 2) Approved a request for a revision in funding and acknowledgment of the source of funding from \$30,000.00 to \$130,000.00 (\$100,000.00 increase) of a project for **MP&E Consultant** for Military facilities, statewide.

Revised Estimated Project Cost: \$130,000.00
SBC Project No. 361/000-06-2005

- 3) Approved a request for a revision in funding and acknowledgment of the source of funding from \$100,000.00 to \$200,000.00 (\$100,000.00 increase) of a project for **Master Planning Consultant** for Military facilities, statewide.

Revised Estimated Project Cost: \$200,000.00
SBC Project No. 361/000-07-2005

VOLUNTEER TRAINING SITE, MILAN, TENNESSEE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$550,000.00 to \$560,000.00 (\$10,000.00 increase) of a project for **19 Bed Barracks** at Volunteer Training Site, Milan, Tennessee.

Revised Estimated Project Cost: \$560,000.00
SBC Project No. 368/031-03-2004

UNIVERSITY OF TENNESSEE

11:15 a.m.

Dr. Petersen requested action on the following matters.

UNIVERSITY OF TENNESSEE AT KNOXVILLE, TENNESSEE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$200,000.00 to \$240,000.00 (\$40,000.00 increase) of a project for **Law School Improvements** at the University of Tennessee at Knoxville, Tennessee.

Revised Estimated Project Cost: \$240,000.00
SBC Project No. 540/009-17-2005

- 2) Dr. Petersen presented a request for approval to cancel a project for **Kingston Apartment Renovation** at the University of Tennessee at Knoxville, Tennessee. Speaker Naifeh asked if there were adequate facilities for married students, and Dr. Petersen responded that, by shifting things around, sufficient married student housing could be met without this facility. He added that renovation costs were estimated to substantially exceed the original project cost, and those costs could not be justified. After general discussion, the Commission approved the request to cancel the project.

Estimated Project Cost: \$9,300,000.00
SBC Project No. 540/009-14-2003

- 3) Approved a request for a revision in scope and funding and acknowledgment of the source of funding from \$600,000.00 to \$860,000.00 (\$260,000.00 increase) of a project for **Mail Service Relocation** at the University of Tennessee at Knoxville, Tennessee.

Revised Estimated Project Cost: \$860,000.00
SBC Project No. 540/009-20-2005

UNIVERSITY OF TENNESSEE HEALTH SCIENCE CENTER, MEMPHIS, TENNESSEE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$21,948,000.00 to \$24,899,800.00 (\$2,951,800.00 increase) of a project for **Regional Biocontainment Laboratory** at the UT Health Science Center, Memphis, Tennessee.

Revised Estimated Project Cost: \$24,899,800.00
SBC Project No. 540/013-09-2004

UNIVERSITY OF TENNESSEE AT KNOXVILLE, TENNESSEE

- 1) Dr. Petersen requested approval of a project and acknowledgment of the source of funding for **RV Parking Lot Improvements** at the University of Tennessee at Knoxville, and the selection of a designer to design and supervise the project. He stated that the project was disclosed in the University's FY 06/07 capital budget request and had been recommended by THEC. Treasurer Sims stated that THEC had not approved the request, and suggested the project be referred to the Executive Subcommittee, with authority to act. Dr. Petersen responded that they could certainly wait another two weeks, but were anxious to proceed in order for the facility to be operational by August 2006. A motion was made, properly seconded, and passed to approve the request as presented, as well as the selection of Lockwood-Greene to design and supervise the project.

Estimated Project Cost:	\$625,000.00
<i>SBC Project No.</i>	<i>540/009-01-2006</i>

DISCUSSION OF BIDS

- 1) **U.T. Institute of Agriculture**
(Large Animal Clinic Expansion)
SBC Project No. 540/001-02-2000
Bid date: 9 February 2006
SBC Action: Referred to Subcommittee with authority to act

TENNESSEE BOARD OF REGENTS

11:25 a.m.

Chancellor Manning requested action on the following matters.

Austin Peay State University, Clarksville

- 1) Approved a request for a revision in scope, estimated project cost and funding from \$675,000.00 to \$800,000.00 (a \$125,000.00 increase) and acknowledgement of source of funding of the project for **Athletic Facilities Improvements** at Austin Peay State University in Clarksville, Tennessee.

Revised Estimated Project Cost: **\$800,000.00**
SBC Project No. 166/003-07-2004

East Tennessee State University, Johnson City

- 1) Approved a request for a revision in estimated project cost and funding from \$1,738,000.00 to \$1,818,000.00 (an \$80,000.00 increase), and acknowledgement of source of funding for **Innovation Center Expansion** at East Tennessee State University in Johnson City, Tennessee.

Revised Estimated Project Cost: **\$1,818,000.00**
SBC Project No. 166/005-09-2004

Middle Tennessee State University, Murfreesboro

- 1) Approved a project and acknowledgment of the source of funding for **MT Boulevard Planning** at Middle Tennessee State University in Murfreesboro, Tennessee and the selection of Lose & Associates, Inc. to design and supervise the project.

Estimated Project Cost: **\$150,000.00**
SBC Project No. 166/009-02-2006

- 2) Approved a request for a revision in scope, estimated project cost and funding from \$19,500,000.00 to \$21,500,000.00 (a \$2,000,000.00 increase) and acknowledgement of source of funding, approval to demolish an existing structure, and approval to issue a request for proposals for a construction manager of the project for **Student Health, Wellness, and Recreation Facility** at Middle Tennessee State University in Murfreesboro, Tennessee.

Revised Estimated Project Cost: **\$21,500,000.00**
SBC Project No. 166/009-02-2003

University of Memphis, Memphis, Tennessee

- 1) Chancellor Manning presented a request for approval to issue a Request for Proposals for a construction manager for **University Center Replacement** at University of Memphis in Memphis, Tennessee. Comptroller Morgan asked about the unfunded \$23 million portion of the project. Jerry Preston responded that, when they brought it for approval of the Early Design Phase, they will ask for full funding. Comptroller Morgan asked if the fees to support this are in place already, and Mr. Preston responded that there will be an increase in student fees. Comptroller Morgan commented that student activities are never built with State appropriated dollars. Lieutenant Governor Wilder said he may need to talk about this with his committees. After further discussion, the request was approved without objection.

Estimated Project Cost: **\$42,300,000.00**
SBC Project No. 166/007-08-2002

Pellissippi State Community College, Knoxville

- 1) Approved a request for a revision in estimated project cost and funding from \$455,000.00 to \$386,580.00 (a \$68,420.00 decrease) of the project for **Several Buildings Roof Repair/Replacement** at Pellissippi State Community College in Knoxville, Tennessee.

Revised Estimated Project Cost: **\$386,580.00**
SBC Project No. 166/032-01-2002

- 2) Approved a request for a revision in estimated project cost and funding from \$290,000.00 to \$510,000.00 (a \$220,000.00 increase) and acknowledgement of source of funding of the project for **Alexander Building and Physical Plant Roof Replacement** at Pellissippi State Community College in Knoxville, Tennessee.

Revised Estimated Project Cost: **\$510,000.00**
SBC Project No. 166/032-02-2005

Roane State Community College, Harriman

- 1) Approved a request for a revision in estimated project cost and funding from \$360,000.00 to \$257,000.00 (a \$103,000.00 decrease) of the project for **Gym and Library Roof Repair** at Roane State Community College in Harriman, Tennessee.

Revised Estimated Project Cost: **\$257,000.00**
SBC Project No. 166/027-03-2004

- 2) Approved a request for a revision in estimated project cost and funding from \$400,000.00 to \$503,000.00 (a \$103,000.00 increase) and acknowledgement of source of funding of the project for **Science Laboratories Update** at Roane State Community College in Harriman, Tennessee.

Revised Estimated Project Cost: \$503,000.00
SBC Project No. 166/027-02-2005

- 3) Approved a project and acknowledgment of the source of funding for **Morgan County Higher Education Center** for Roane State Community College in Harriman, and the selection of Upland Design Group to design and supervise the project.

Estimated Project Cost: \$1,800,000.00
SBC Project No. 166/027-02-2006

Volunteer State Community College, Gallatin

- 1) Approved a request for a revision in estimated project cost and funding from \$670,000.00 to \$695,000.00 (a \$25,000.00 increase) and acknowledgement of source of funding of the project for **Caudill & Warf Roof & Skylight Replacement** at Volunteer State Community College in Gallatin, and authorization to award a construction contract to Kerry G. Campbell, Inc. in the amount of \$98,618 based upon the Base Bid received January 18, 2006.

Revised Estimated Project Cost: \$695,000.00
SBC Project No. 166/025-04-2004

Discussion of Bids

- 1) **Northeast State Technical Community College, Blountville**
(New Humanities Building)
SBC Project No. 166/038-01-2004
Bid date: 25-Jan-06
SBC Action: Referred to Subcommittee, with authority to act
- 2) **Tennessee State University, Nashville**
(Residence Halls Reroofing)
SBC Project No. 166/001-06-2005
Bid date: 15-Feb-06
SBC Action: Referred to Subcommittee, with authority to act
- 3) **Tennessee Technology Center @ Jackson, Jackson**
(Restroom Accessibility Corrections)
SBC Project No. 166/058-01-2005
Bid date: 15-Feb-06
SBC Action: Referred to Subcommittee, with authority to act

DEPARTMENT OF FINANCE AND ADMINISTRATION

11:35 a.m.

STATEWIDE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$3,400,000.00 to \$3,700,000.00 (\$300,000.00 increase) of a project for **Direct Order Contract**, statewide.

Revised Estimated Project Cost: \$3,700,000.00
SBC Project No. 529/000-04-2000

SPECIAL ITEMS

- 1) Approved a request to extend the term of the loan of **Two Urns** to the State that belong to the James K. Polk Memorial Association and are currently on display at the gravesite of President and Mrs. James K. Polk on the Capitol grounds in Nashville.
- 2) Mr. Fitts brought up from the floor a request for sole source approval for repairs of the carillons on the Bicentennial Mall in Nashville, Tennessee. He said that lightning had severely damaged the carillons and the repair costs were eligible for reimbursement under the State's self-insurance program. He said the system was very unique and the original fabricator/installer, the Verdin Company, was the appropriate vendor to do the work considering complexity and time. He asked that the Commission approve the Verdin Company as sole source contractor for this work and that they approve an increase in the project cost for the existing Bicentennial Mall **Maintenance Upgrade** project by an amount equal to the final insurance reimbursement for the damage. After discussion, the request as presented by Mr. Fitts was approved without objection.

Revised Estimated Project Cost: \$1,240,000.00
SBC Project No. 126/124-01-2004

- 3) In response to questions from the Commission, Charles Garrett distributed an information paper giving the status of various ongoing projects at the Legislative Plaza as shown below:

Renovation of Storefront 6th Avenue Entrance Court

Designer of record has completed pricing package and has issued a Request for Proposal to Bell Construction. A budget estimate is expected from contractor by February 10th with final pricing submitted by February 17th. At that time a change order will be executed for the immediate implementation of this work. A preconstruction meeting will be held prior to issuing a notice to proceed to the contractor to insure minimum disruption to operations at Plaza during installation.

Security design at 6th Avenue Entrance Court

Design for proposed work was approved by the Legislature on January 24th. Design includes the incorporation of outdoor seating, fountain and planters as requested by the Legislature. Designer of record has solicited a cost estimate from Bell Construction to determine funding level needed to execute the project. Their budget estimate is expected by February 17th.

Leaks at Motlow Tunnel

Designer of Record has been working closely with QE2, environmental consultant to RPA, to determine the cause of new leaks at Motlow Tunnel. The newly discovered leaks are located in the tunnel north of Carmack Plaza and are outside the scope of the original contract for exterior waterproofing. The proposed design solution, involving the drainage of suspected underground water pockets, has been communicated to Bell Construction. Their response to RFP, including cost and schedule for executing work is expected by February 17th.

Flamed finish (non slip) on granite pavers at 6th Avenue Entrance Court

Sample of stone finish has been furnished to the Legislature. This new finish will be installed on all granite paving located within 6th Avenue entrance courtyard. Designer has issued an RFP to Bell Construction to identify cost and schedule for implementing this work. Response to RFP is expected by February 17th.

STATE BUILDING COMMISSION

MINUTES OF MEETING OF STATE BUILDING COMMISSION

- 1) Approved the Minutes of the State Building Commission meeting held on January 12, 2006.

REPORT OF CHANGE ORDERS RESULTING IN CUMULATIVE CHANGE ORDER COSTS TO EXCEED
10% OF BASE CONTRACT AMOUNT

1. **University of Tennessee Chattanooga**
(Exterior Building Repairs)
Change Order No. 4 & 5
Change Order Amount: \$133,326.00
\$ 38,091.00
Change Order Percent: 9.2 and 2.6
Cumulative Percent 17.6
SBC Project No. 540/005-01-2002

2. **University of Tennessee Chattanooga**
(North Stadium Demolition)
Change Order No. 2
Change Order Amount: \$18,527.00
Change Order Percent: 4.5
Cumulative Percent 10.9
SBC Project No. 540/005-01-2003

3. **University of Tennessee Knoxville**
(Clement Hall Renovation Phase 2)
Change Order No. 2 & 3
Change Order Amount: \$301,854.00
\$ 52,770.00
Change Order Percent: 14.5 & 2.5
Cumulative Percent 19.6
SBC Project No. 540/009-20-2004

4. **University of Tennessee Knoxville**
(Massey Hall Improvements)
Change Order No. 2
Change Order Amount: \$34,033.49
Change Order Percent: 3.4
Cumulative Percent 10.6
SBC Project No. 540/009-17-2003

5. **University of Tennessee Martin**
(Humanities HVAC Improvements)
Change Order No. 1
Change Order Amount: \$102,262.00
Change Order Percent: 11.0
Cumulative Percent 11.0
SBC Project No. 540/011-03-2004

6. **University of Tennessee Memphis**
(Madison Avenue Building Improvements)
Change Order No. 6 & 7
Change Order Amount: \$ 62,699.00
\$160,721.00
Change Order Percent: 1.5 & 3.9
Cumulative Percent 35.0
SBC Project No. 540/013-03-2002

7. **University of Tennessee Memphis**
(Masonry Repairs)
Change Order No. 1
Change Order Amount: \$12,040.00
Change Order Percent: 10.5
Cumulative Percent 10.5
SBC Project No. 540/013-07-2004

8. **Legislative Plaza – Nashville**
(Committee Rooms LP 12/14)
Change Order No. 9
Change Order Amount: \$7,4110.00
Change Order Percent: 1.29
Cumulative Percent 60.98
SBC Project No. 529/045-03-2000

9. **Legislative Plaza – Nashville**
(Committee Room LP 16)
Change Order No. 14
Change Order Amount: \$14,707.00
Change Order Percent: 4.42
Cumulative Percent 214.08
SBC Project No. 529/045-03-2000

10. **Legislative Plaza – Nashville**
(Committee Rooms LP 29, 30, 31)
Change Order No. 3
Change Order Amount: \$4,958.00
Change Order Percent: .78
Cumulative Percent 13.57
SBC Project No. 529/045-03-2000

11. **East Tennessee State University**
(Fire Alarm System Update)
- | | |
|-----------------------|------------------|
| Change Order No. | 1 |
| Change Order Amount: | \$39,595.00 |
| Change Order Percent: | 17.67 |
| Cumulative Percent | 17.67 |
| SBC Project No. | 166/005-02-2003A |

SUB-COMMITTEE REPORT

- 1) Report received of action taken at the State Building Commission Executive Subcommittee meeting held on January 23, 2006.

DESIGNER SELECTION LIST

Approved the designer selections as recommended.

- 1) **Middle Tennessee State University**
(MT Boulevard Planning)
Estimated Project Cost: \$150,000.00
SBC Project No. 166/009-02-2006
Designer: **LOSE & ASSOCIATES, INC.**
- 2) **Roane State Community College**
(Morgan County Higher Education Center)
Estimated Project Cost: \$1,800,000.00
SBC Project No. 166/027-02-2006
Designer: **UPLAND DESIGN GROUP**
- 3) **University of Tennessee Knoxville**
(Phi Gamma Delta Fraternity House)
SBC Project No. 540/009-37-2004
Designer: **SPARKMAN & ASSOCIATES ARCHITECTS**
- 4) **University of Tennessee Knoxville**
(RV Parking Lot Improvements)
Estimated Project Cost: \$625,000.00
SBC Project No. 540/009-01-2006
Designer: **LOCKWOOD GREENE**

Change the designer's name on the following projects from "THE HAZLIP FIRM, PLLC" to "HAIZLIP STUDIO, PLLC":

- 1) **Southwest TN Community College**
(New Replacement Campus)
SBC Project No. 166/033-01-2004

- 2) **University of Memphis**
(University Center)
SBC Project No. 166/007-08-2002
- 3) **University of Memphis**
(Accessibility Adaptations)
SBC Project No. 166/007-05-2002
- 4) **University of Memphis**
(Meeman Biological Field Station Quarters)
SBC Project No. 166/007-06-2002

There being no further business, the meeting adjourned at 11:43 a.m.

Approved by:

A handwritten signature in black ink, appearing to read "M.D. Goetz, Jr.", is written over a horizontal line.

M.D. Goetz, Jr., Commissioner
Department of Finance and Administration