

MINUTES
STATE BUILDING COMMISSION
Executive Subcommittee
October 24, 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 at 10:35 a.m. 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

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS ABSENT

David Lillard, State Treasurer

OTHERS PRESENT

Bob Oglesby, State Architect
Georgia Martin, State Architect's Office
Jurgen Bailey, Department of General Services
Jonathan Rummel, Secretary of State's Office
Josh Stites, Treasurer's Office
Melinda Parton, Comptroller's Office
Janie Porter, Attorney General's Office
Dick Tracy, Tennessee Board of Regents
Peter Heimbach, Department of General Services
Jose McNeill, Department of General Services
Steve Cates, Department of General Services
Lynelle Jensen, Department of General Services
Cindy Liddell, Comptroller's Office
John Carr, Department of Finance and Administration

Ashley Carter, Attorney General's Office
Mike Carlton, Department of Environment and Conservation
Bill Avant, Department of Environment and Conservation
Fred Hix, Department of Intellectual & Developmental Disabilities
Jon Lawler, Johnson Galyon, Inc.
Randy Button, TCSG
David Todd, Department of Agriculture
Robbi Stivers, University of Tennessee
Scott Boelscher, THEC
Larry Stephen, Michael Brady, Inc.

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CONSENT AGENDA

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

- A. Agency: **University of Tennessee – State of Virginia**
Transaction: Lease agreement
Provision: Waiver of advertisement

- B. Agency: **Tennessee Board of Regents – Montgomery County**
Transaction: Acquisition in fee
Provision: Waiver one (1) appraisal

- C. Agency: **Tennessee Board of Regents – Montgomery County**
Transaction: Demolition of a structures

- D. Agency: **Tennessee Board of Regents – Montgomery County**
Transaction: Acquisition in fee
Provision: Waiver one (1) appraisal

- E. Agency: **Tennessee Board of Regents – Montgomery County**
Transaction: Demolition of a structures

- F. Agency: **Tennessee Board of Regents – Rutherford County**
Transaction: Disposal by easement
Provision: Waiver one (1) appraisal & advertisement

- G. Agency: **Tennessee Wildlife Resources Agency – Anderson County**
Transaction: Disposal by easement & right-of-way
Provision: Waiver one (1) appraisal & advertisement

- H. Agency: **Tennessee Wildlife Resources Agency – Anderson County**
Transaction: Disposal by easement & right-of-way
Provision: Waiver one (1) appraisal & advertisement

- I. Agency: **Department of Intellectual Development Disabilities – Davidson County**
Transaction: Acquisition in fee
Provision: Waiver one (1) appraisal & REM Fees

- J. Agency: **Department of Intellectual Development Disabilities – Davidson County**
Transaction: Acquisition in fee
Provision: Waiver one (1) appraisal & REM Fees

TENNESSEE BOARD OF REGENTS

Columbia State Community College, Columbia, Maury County, Tennessee

Requested Action: Approval of a revision in project budget and source(s) of funding in order to award a contract

Project Title: Accessibility (ADA) Adaptations

Project Description: Implement accessibility adaptations

SBC Number: 166/015-02-2010

Revised Project Budget: \$155,381.80

Source of Funding:	<u>Original</u>	<u>Change</u>	<u>Revised</u>		
	\$ 20,280.80	\$ 0.00	\$ 20,280.80	06/07	CurrFunds-CapMaint (R)
	25,601.00	0.00	25,601.00	07/08	CurrFunds-CapMaint (R)
	12,500.00	0.00	12,500.00	08/09	CurrFunds-CapMaint (R)
	12,500.00	0.00	12,500.00	09/10	CurrFunds-CapMaint (R)
	24,500.00	0.00	24,500.00	10/11	CurrFunds-CapMaint (A)
	30,000.00	0.00	30,000.00	11/12	CurrFunds-CapMaint (A)
	<u>0.00</u>	<u>30,000.00</u>	<u>30,000.00</u>		Plant (Non-Auxiliary) (A)
Original Project Budget:	\$125,381.80				
Change in Funding:		\$30,000.00			
Revised Project Budget:			\$155,381.80		

Comment: Bids were received on September 28, 2011. Increase in funding needed to award a contract to Kerry G. Campbell, Inc., in the amount of \$114,873.00, for the base bid only.

Previous SBC Action:

07/08/2010	SBC	Approved project
07/23/2010	ESC	Selected designer (Adkisson & Associates Architects)
07/14/2011	SBC	Revised funding
10/13/2011	SBC	Referred to ESC with authority to act

ESC Action: 10/24/2011 ESC Revised funding to award contract

TENNESSEE BOARD OF REGENTS

Roane State Community College, Harriman, Roane County, Tennessee

Requested Action: Approval to award a contract to the best evaluated proposer for Construction Manager/General Contractor

Project Title: Oak Ridge Campus Expansion

Project Description: Construct facility and make minor renovation in existing building for the Allied Health and Nursing programs, including new parking spaces

SBC Number: 166/027-01-2011

Total Project Budget: \$12,000,000.00

Source of Funding:	\$ 9,000,000.00	11/12	CurrFundsCapImprov	(A)
	\$ 2,500,000.00		Gifts	(O)
	\$ 500,000.00		Plant (Non-Auxiliary)	(A)

Comment: Expand Oak Ridge campus for Allied Health and Nursing programs, including additional parking. Additional funds are to renovate the bookstore for Learning Support program. Original \$11.5 million was a part of the 2010 Community College Special Capital Outlay Program.

Previous SBC Action:	01/13/2011	SBC	Approved project
	01/24/2011	ESC	Selected designer (Upland Design Group, Inc.)
	07/14/2011	SBC	Approved issuance of RFP for CM/GC
	10/13/2011	SBC	Revised funding; referred CMGC award to ESC

ESC Action:	10/24/2011	ESC	Approved contract award to Denark Construction
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DEPARTMENT OF AGRICULTURE

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 appraisal

Description: Cumberland County – 100 +/- acres – Bledsoe State Forest, Lantana, TN – 11-09-008 (Baugh)

Purpose: Acquisition in fee to purchase this tract adjacent to Bledsoe State Forest. Project is in the Master Plan.

Estimated Price: Fair Market Value

Source of Funding: 2010-2011 State Land Acquisition Fund - \$216,700 (R)

Owner(s): Timber Investment Resources, LLC

Comment: Agriculture request to use the Conservation Fund (TCF) as a third party in negotiating the purchase of this property. The owners are anxious to sell the property by the end of the year. TCF has agreed to combine this project with TDEC project near Fall Creek Falls while negotiating the purchase of both tracts. Timber Investment Resources (TIR) is placing two conditions on the sale of this property: (1) they retain the timber rights until 2018 and (2) the road that is part of this property will become a shared boundary and both the State and TIR will have equal access to the road.

Property acquired by owners: June 23, 2006
Purchase price: \$66,056,784 for 75,000 acres
Tax assessor's value: \$171,254 for 100 acres
Improvement: Unimproved

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Bill Avant, TDEC, stated that the SLAC funds were approved for this project on 9/13/2011. Staff referred to Subcommittee with recommendation.

ESC Action: 10/24/2011 Approved request as presented.

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Land Transaction

- Requested Action:** Conceptual Approval to allow The Land Trust for Tennessee, a 501 (C) 3, to acquire on the State's behalf the remainder of the needed Justin P. Wilson Cumberland Trail tracts.
- Purpose:** Allowing The Land Trust for Tennessee to acquire properties on behalf of the State the remaining properties on the Justin P. Wilson Cumberland Trail allows for maximum flexibility in dealing with the affected land owners in the area. The State Land Acquisition committee has approved this third party concept. Trans. No. 11-09-011 (Bailey)
- Sale Price:** N/A
- Source of Funding:** N/A
- SSC Report:** 10/17/2011. Jurgen Bailey summarized the transaction. Bill Avant, TDEC, stated that SLAC funds were approved for this project on 9/13/2011. Staff referred to Subcommittee with recommendation.
- ESC Action:** 10/24/2011. Jurgen Bailey presented the transaction. Comptroller Wilson asked what they were being asked to approve, and if this involved creating an agency agreement. Mike Carlton, TDEC, explained that this was not an exclusive agreement with the Land Trust for Tennessee. He said they have had a wide variety of land trusts working with them and they would like to invite a non-profit who could deal with the property owners in total and come back to the Subcommittee with an option to purchase. Comptroller Wilson made a motion confirming that it was the sense of the Subcommittee that the Department should proceed with the Land Trust to consider acquisition of properties on behalf of the State. Secretary Hargett seconded the motion by adding that there was nothing that construed any exclusivity or agency relationship between the State and the Land Trust for Tennessee, stated or implied. He stated that they were approving a concept and the ability to have conversations with the understanding that every transaction would come back to the Subcommittee for approval. The motion was approved and passed without objection.

DEPARTMENT OF FINANCE & ADMINISTRATION

Requested Action: Amend this lease to compensate for loss of parking spaces and extend the term

Comment: Amendment #1 is for the negotiations between both parties (State & Metro) to compensate for the loss of parking spaces. The amendment will extend the term of the contract by 336 days and also provide ten (10) additional floating parking spaces at Music City Central Parking Garage.

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff requested to see if the ten (10) floating parking spaces can be set and reserved. Staff referred to Subcommittee for discussion.

ESC Action: 10/24/2011. Approved Amendment as presented, subject to review by SBC Staff.

Original Approval: On December 18, 2006

DOWNTOWN TRANSIT MALL FACILITY, NASHVILLE, TENNESSEE

- 1) Assistant Commissioner Charles Garrett began a discussion of a proposed grant to the Metropolitan Transit Authority for the provision of additional employee parking. He said they had a meeting with people from Metro government and other entities, and have been working with MTA for several months trying to make this work. He stated that they were requesting, with SBC approval and working with the Attorney General, to proceed forward with everything they need to put into place to make this grant become reality. He explained that the current negotiated proposal would provide 343 spaces for 25 years at an annual operating fee based on a pro-rated basis of the actual reasonable and necessary operating expenses of the facility, estimated to be \$200/year per space. He said this was negotiated down from MTA's original proposal of \$6,860,000 for 10 years and \$600/year per space operating cost. In response to questions from Representative Gary Moore, Mr. Garrett stated that they are going to build a total of 700 spaces. He added that the parking study, which his office has been working on with Gresham-Smith & Partners, is about complete and he hopes to present it to the Executive Subcommittee in January. He said that it fits within the long-range plan for State government, contingent, of course, upon the requisite approvals.

Senator Harper was recognized. She expressed that since this project involved her district, she felt she should've been made aware of the progress. Comptroller Morgan responded that her point was well-taken and the process should ensure interested Legislators were kept informed. After discussion, the Commission approved proceeding with the proposal as outlined by Mr. Garrett.

SBC Project No. 529/000-19-2006

DEPARTMENT OF GENERAL SERVICES

Land Transaction – Report Item

Requested Action: Pursuant to State Building Commission Policy and Procedures Item 8.01 (J) Report Item as approved on September 2011. For all acquisitions and disposals of interest in real property, closed in the previous quarter, that have been previously approved by the Executive Subcommittee, the following information shall be reported back to the Executive Subcommittee by RPA on a quarterly basis. (July 1-September 20, 2011)

1. Resulting appraisal value(s)
2. Final purchase or sales price
3. Amount(s) and sources(s) of funding used or received

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee with recommendation.

ESC Action: 10/24/2011. Deferred report until next meeting.

STATE BUILDING COMMISSION

Minutes of Executive Subcommittee Meeting

- 1) Approved the Minutes of the Executive Subcommittee meeting held on September 19, 2011.

Designer Selections

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

- | | |
|--|---|
| 1) Tennessee School for the Deaf
(Cottage E Demolition)
Total Project Budget: \$250,000.00
SBC Project No. 168/007-02-2011
Designer: QUANTUM ENVIRONMENTAL &
ENGINEERING | 4) Nashville State Community College
(Clarksville Teaching Site Renovation)
Total Project Budget: \$2,450,000.00
SBC Project No. 166/034-02-2011
Designer: LYLE COOK MARTIN |
| 2) Mountain View Development Center
(Warehouse Repairs)
Total Project Budget: \$240,000.00
SBC Project No. 144/013-03-2011
Designer: WEEKS AMBROSE MCDONALD | 5) Tennessee Technological University
(Residence Halls Mechanical Upgrades)
Total Project Budget: \$2,250,000.00
SBC Project No. 166/011-03-2011
Designer: MAFFETT LOFTIS ENGINEERING |
| 3) Austin Peay State University
(Library Water Heating Addition)
Total Project Budget: \$170,000.00
SBC Project No. 166/003-08-2011
Designer: TLC ENGINEERING | 6) Tennessee Technological University
(Live and Learn Village Renovations)
Total Project Budget: \$1,250,000.00
SBC Project No. 166/011-04-2011
Designer: STREET DIXON RICK |

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There being no further business, the meeting adjourned at 11:05 a.m.

UNIVERSITY OF TENNESSEELease Agreement

Requested Action: Approval of lease agreement with waiver of advertisement

Location: 901 North Stuart Street, Suite 800, Arlington, Virginia – Trans. No. 11-09-905 (Baltz)

Purpose: To provide office and meeting space to perform and meet the project's needs by providing advanced servers and is the only location in the area that has a connection to GLORIAD.

Term: Two (2) years with the option for one (1) two (2) year option to renew.

Proposed Amount:

8,154 Square feet		
Annual contract rent :	\$ 56,761.10	@\$ 6.96 / sf
Est. annual utility cost:	\$ 14,269.50	@\$ 1.75 / sf
Est. annual janitorial cost:	\$ 8,969.40	@\$ 1.10 / sf
Total annual cost:	\$ 80,000.00	@\$ 9.81 / sf

Current Amount: None (new lease)

Type: New lease with a thirty (30) day cancellation.

Source of Funding: 100 % - US Agency for International Development (USAID) Grant. No state appropriations will be used to fund this project.

Lessor: Board of Trustee of the University of Illinois

Comment: This unique office space, located at the National Center for Supercomputing Applications (NCSA) will allow access to internet, conference rooms, guest office accommodations, and easy access to high performance video conferencing equipment and network expertise if needed for workshops and/or other collaboration. The connection to the GLORIAD network at the NCSA facility will facilitate high speed web-applications and data transfer between the project office and all institutions on the African continent that will be connected to the network. This space is the only place in the area that has a connection to GLORIAD and all Research and Education networks in place.

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Robbi Stivers, UT, stated that GLORIAD has been in business for fifteen (15) years. UT will hire only 3 new staff to be at the research center to represent UT and all the expenses will be paid through the Federal Grant at 100 % which include the staff, equipment, rental space and all expenses. GLORIAD is committed to two years on this project. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

TENNESSEE BOARD OF REGENTS

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 one (1) appraisal.

Description: Montgomery County – 204 Marion Street, Clarksville, TN – Trans. No. 11-09-004 (Maholland)

Purpose: Acquisition in fee to acquire the property adjacent to APSU for future campus expansion. Project is in the Master Plan.

Estimated Sale Price: Fair Market Value

Source of Funding: 2012 Campus Plant Funds – Auxiliary (A)

Owner(s): William Peacher

Comment: Property acquired by owner: December 2003
Purchase price: \$35,000
Tax assessor's value is: \$33,700
Improvement on property: house (798 sf)

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

TENNESSEE BOARD OF REGENTSAustin Peay State University, Clarksville, Montgomery County, Tennessee

Requested Action: Approval of project budget, scope and source(s) of funding

Project Title: Demolition – 204 Marion Street (Maholland)

Project Description: Demolish structure to provide surface parking or green space

SBC Number: 166/003-05-2011

Total Project Budget: \$12,000.00

Source of Funding: \$12,000.00 2011 Plant (Non-Auxiliary) (A)

Comment: This 798 sf house was built in 1930 and is not suitable for educational space. The TN Historical Commission has reviewed and stated that this project will not adversely affect this cultural resource.

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved 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 one (1) appraisal.

Description: Montgomery County – 714 Robb Avenue, Clarksville, TN – Trans. No. 11-09-005 (Maholland)

Purpose: Acquisition in fee to acquire the property adjacent to APSU for future campus expansion. Project is in the Master Plan.

Estimated Sale Price: Fair Market Value

Source of Funding: 2012 Campus Plant Funds – Auxiliary (A)

Owner(s): Don Makay

Comment: Property acquired by owner: 2002
Purchase price: \$48,500
Tax assessor's value is: \$39,600
Improvement on property: house (1,137 sf)

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

TENNESSEE BOARD OF REGENTSAustin Peay State University, Clarksville, Montgomery County, Tennessee

Requested Action: Approval of project budget, scope and source(s) of funding

Project Title: Demolition – 714 Robb Avenue (Maholland)

Project Description: Demolish structure to provide surface parking or green space

SBC Number: 166/003-06-2011

Total Project Budget: \$12,000.00

Source of Funding: \$12,000.00 2011 Plant (Non-Auxiliary) (A)

Comment: This 1,137 sf house was built in 1952 and is not suitable for educational space. The TN Historical Commission has reviewed and stated that this project will not adversely affect this cultural resource.

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

TENNESSEE BOARD OF REGENTSLand Transaction

Requested Action: Approval of disposal by easement with waiver of advertisement and appraisals

Description: Rutherford County – 0.03 +/- acres – College Height Street, Murfreesboro, TN –
Trans. No. 11-09-006 (Maholland)

Purpose: Disposal by easement to allow adjacent church uses the bridge on MTSU property.
The church would like the bridge to remain intact to allow their bus convenient
access to their property.

Estimated Sale Price: N/A

Grantee: Methodist Church Wesley Foundation

Comment: The Foundation has agreed to assume full responsibility for the maintenance and
repair of the bridge and related liability. The term the easement is fifty (50) years and
MTSU has a right to terminate the easement. This will be an exclusive easement to
the Foundation and will cease if Foundation sells the property.

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to
Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

TENNESSEE WILDLIFE RESOURCES AGENCYLand Transaction

Requested Action: Approval of disposal by easement with waiver of advertisement and appraisals

Description: Anderson County – 1.5+/- acres & 1.36 +/- ROW (total 2.85+/- acres) – Beach Grove Church, TN – Trans. No. 11-09-009 (Jackson)

Purpose: Disposal by easement & right-of-way for a gas well, pipeline and access as needed on Sundquist WMA.

Estimated Sale Price: \$500

Grantee: Knox Energy / CNX Gas Company LLC

Comment: The State owns the surface rights and Knox Energy owns the mineral rights. Well site AH-1042, since total acreage is below 4.77 +/- acres the total consideration is \$500.

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

TENNESSEE WILDLIFE RESOURCES AGENCY

Land Transaction

Requested Action: Approval of disposal by easement with waiver of advertisement and appraisals

Description: Anderson County – 1.5+/- acres & 4.52 +/- ROW (total 6.02+/- acres) – Burge Mountain, TN – Trans. No. 11-09-010 (Jackson)

Purpose: Disposal by easement & right-of-way for a gas well, pipeline and access as needed on Sundquist WMA.

Estimated Sale Price: \$632.10 (\$105 per acre)

Grantee: Knox Energy / CNX Gas Company LLC

Comment: The State owns the surface rights and Knox Energy owns the mineral rights. Well site AH-1048

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

DEPARTMENT OF INTELLECTUAL DEVELOPMENT DISABILITIESLand 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 one appraisal and REM Fees

Description: Davidson County – 2.04 +/- acres – 231 Fairway Drive, Nashville, TN – Trans. No. 11-08-020 (Woodard)

Purpose: Acquisition in fee to construct an ICF – MR Group Home

Estimated Sale Price: Fair Market Value

Source of Funding: SBC 346/000-05-2005 current bonds & funds (A)

Owner(s): Roger & Brenda Hudson

Comment: Property acquired by owner: June 6, 2008
Purchase price: \$168,000
Tax assessor's value: \$186,400
Improvements on property: house (2,702 sf)

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

DEPARTMENT OF INTELLECTUAL DEVELOPMENT DISABILITIESLand 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 one appraisal and REM Fees

Description: Davidson County – 5.4 +/- acres – 3128 Elm Hill Pike, Nashville, TN – Trans. No. 11-08-021 (Woodard)

Purpose: Acquisition in fee to construct an ICF – MR Group Home

Estimated Sale Price: Fair Market Value

Source of Funding: SBC 346/000-05-2005 current bonds & funds (A)

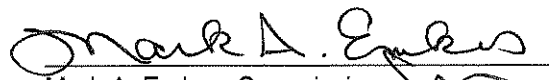
Owner(s): Robert Goss, Jr.

Comment: Property acquired by owner: December 31, 1985
Purchase price: \$100,000
Tax assessor's value: \$167,300
Improvements on property: house (1,783 sf)

SSC Report: 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

ESC Action: 10/24/2011. Approved transaction as presented.

Approved:


Mark A. Emkes, Commissioner
Department of Finance and Administration