

MINUTES

STATE BUILDING COMMISSION MEETING

JUNE 11, 2009

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.

11:08 a.m.	Department of Transportation	Commissioner Gerald Nicely
11:10 a.m.	Department of Environment and Conservation	Assistant Commissioner Larry Lance
11:12 a.m.	Department of Veterans Affairs	Commissioner John Keys
11:13 a.m.	Department of Education	Commissioner Tim Webb
11:14 a.m.	Department of Correction	Deputy Commissioner Gayle Ray
11:15 a.m.	University of Tennessee	Acting President Jan Simek
11:16 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

Kent Williams, Speaker of the House of Representatives
Dave Goetz, Commissioner, Department of Finance and Administration
Justin Wilson, Comptroller of the Treasury
David Lillard, State Treasurer
Tre Hargett, Secretary of State

STATE BUILDING COMMISSION MEMBERS ABSENT

Governor Phil Bredesen
Ron Ramsey, Lieutenant Governor

OTHERS PRESENT

Mike Fitts, State Architect	Sandi Thompson, Bond Finance
Georgia Martin, State Architect's Office	Bill Finney, Real Property Administration
Alan Robertson, State Architect's Office	Steve Westerman, Real Property Administration
Janie Porter, Attorney General's Office	Greg Steck, Real Property Administration
Genie Whitesell, Attorney General's Office	Alvin Payne, University of Tennessee
Mark Wood, Secretary of State's Office	George Criss, University of Tennessee
Annette Crutchfield, Legislative Budget Office	Gary Rogers, University of Tennessee
Melinda Parton, Comptroller's Office	John Cothorn, Middle Tennessee State University
Joy Harris, Treasurer's Office	O.W. Higley, THEC
Jerry Preston, Tennessee Board of Regents	John Gregory, TWRA
Dick Tracy, Tennessee Board of Regents	Nat Johnson, TWRA
Diane Uhler, Tennessee Board of Regents	James Perdue, Department of Environment and Conservation
David Gregory, Tennessee Board of Regents	Cleve Salmon, Real Property Administration
John Carr, Finance and Administration	Jacqueline Felland, Bond Finance
Terry Mason, Finance and Administration	Thomas Bartoo, Method Architecture
Cindi Liddell, Bond Finance	

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George Hyfantis, QE2
Carl Manka, Tennessee Board of Regents
Bob Franklin, Franklin Architects

Steve Norris, Mental Retardation Services
Fred Hix, Mental Retardation Services
George Brummett, Mental Retardation Services

Speaker Williams called the meeting to order at 11:08 a.m. and requested action on the following matters as presented by State Architect Michael A. Fitts.

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DEPARTMENT OF TRANSPORTATION

11:08 a.m.

Commissioner Nicely requested action on the following matters.

TDOT QUARTERLY STATUS REPORT

- 1) Commissioner Nicely presented the **Quarterly Status Report** of current projects in the Transportation Improvement Programs in accordance with the requirements of the "Transportation Reporting Act of 2002". The report was accepted by the Commission.

REGION 4 – SHELBY COUNTY, TENNESSEE

- 1) Approved a request for a revision in scope of a project to **Renovate and Expand** the existing Boswell Road Engineering Office to **Demolish and Re-construct** the facility in Memphis, Tennessee.

Estimated Project Cost:	\$1,450,000.00
<i>SBC Project No.</i>	<i>244/010-01-2008</i>

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DEPARTMENT OF ENVIRONMENT AND CONSERVATION

11:10 a.m.

Assistant Commissioner Larry Lance requested action on the following matter.

BLEDSON CREEK STATE PARK, SUMNER COUNTY, TENNESSEE

- 1) Commissioner Lance presented a request for approval of a project and acknowledgement of the source of funding for **Resurfacing Accessible Trails** at Bledson Creek State Park, Sumner County, with work to be accomplished by TDOT. Comptroller Wilson asked if they had a letter from The Memorial Foundation stating their commitment for the \$30,000. The Commission approved the request, contingent upon receipt of the letter from the Foundation.

Estimated Project Cost: **\$65,000.00**
SBC Project No. *126/012-01-2009*

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DEPARTMENT OF VETERANS AFFAIRS

11:12 a.m.

Commissioner John Keys requested action on the following matter.

EAST TENNESSEE VETERANS CEMETERY, KNOX COUNTY, TENNESSEE

- 1) Approved a request for a revision in estimated project cost from \$10,532,000.00 to \$2,532,000.00 (\$8,000,000.00 decrease) for **East Tennessee Veterans Cemetery Expansion** at Knoxville, Tennessee.

Revised Estimated Project Cost:	\$2,532,000.00
Estimated Planning Cost:	\$ 282,000.00
<i>SBC Project No.</i>	<i>682/000-03-2006</i>

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DEPARTMENT OF EDUCATION

11:13 a.m.

Commissioner Tim Webb requested action on the following matters.

ALVIN C. YORK AGRICULTURAL INSTITUTE, JAMESTOWN, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Bleacher and Pressbox Replacement** at Alvin C. York Agricultural Institute, and the selection of Odle & Young Architects to design and supervise the project.

Estimated Project Cost: **\$470,000.00**

SBC Project No. 168/001-01-2009

TENNESSEE SCHOOL FOR THE DEAF, KNOXVILLE, TENNESSEE

- 1) Approved a request for a revision in scope of a project for **Steam Line Replacement with Pocket Boilers** at Tennessee School for the Deaf, Knoxville, and approval to increase the grant amount to the Knoxville Utility Board from \$18,500.00 to \$35,345.70 to include gas line installation for campus wide improvements.

Estimated Project Cost: **\$1,115,000.00**

SBC Project No. 168/007-02-2005

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DEPARTMENT OF CORRECTION

11:14 a.m.

Deputy Commissioner Gayle Ray requested action on the following matters.

MORGAN COUNTY CORRECTIONAL COMPLEX (MCCC), WARTBURG, MORGAN COUNTY, TENNESSEE

- 1) Approved a request to utilize the Direct Order Contract for installation of an emergency generator on a project for **Morgan County Correctional Complex** at Wartburg, Morgan County, Tennessee.

Estimated Project Cost: **\$182,460,000.00**

SBC Project No. 142/028-01-2003

WEST TENNESSEE STATE PENITENTIARY, HENNING, LAUDERDALE COUNTY, TENNESSEE

- 1) Approved a request to amend the designer contract on a project for **Minimum Housing Expansion** at West Tennessee State Penitentiary, Lauderdale County, to replace Buchart-Horn, Inc. with SSR-Ellers on the joint venture design team with Clark-Dixon.

Estimated Project Cost: **\$6,700,000.00**

SBC Project No. 142/022-01-2007

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UNIVERSITY OF TENNESSEE

11:15 a.m.

Acting President Jan Simek requested action on the following matters.

THE UNIVERSITY OF TENNESSEE HEALTH SCIENCE CENTER, MEMPHIS, TENNESSEE

- 1) Approved a project and acknowledgement of the source of funding for **Crowe Lab 8P HVAC Improvements** at the University of Tennessee Health Science Center, Memphis, with design services provided by University personnel and campus engineering consultants.

Estimated Project Cost: **\$135,000.00**
SBC Project No. 540/013-02-2009

DISCUSSION OF BIDS

- 1) **The University Institute of Agriculture**
 (Dairy Farm Relocation)
 SBC Project No. 540/009-22-2003
 Bid date: June 11, 2009
 SBC Action: Referred to Subcommittee with authority to act

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TENNESSEE BOARD OF REGENTS

11:16 a.m.

Chancellor Manning announced to the Commission that this was Jerry Preston's last SBC meeting with the Tennessee Board of Regents since he had announced his retirement after 30 years of State service. Treasurer Lillard thanked Mr. Preston, saying he had been very helpful and effective. Secretary Hargett commented that he enjoyed working with him and appreciated his assistance. Chancellor Manning then requested action on the following matters.

Middle Tennessee State University, Murfreesboro, Tennessee

- 1) Approved a request for acceptance of a gift-in-place construction project for **Food Service Facility Improvements** at Middle Tennessee State University in Murfreesboro, Tennessee.

Estimated Project Cost: \$4,180,000.00
SBC Project No. 166/009-02-2009

Tennessee State University, Nashville, Tennessee

- 1) Approved a project and acknowledgment of source of funding for **Performing Arts/Radio Station Facility** at Tennessee State University in Nashville, Tennessee, and the selection of Moody-Nolan to design and supervise the project.

Estimated Project Cost: \$ 1,360,000.00
SBC Project No. 166/001-01-2009

University of Memphis, Memphis, Tennessee

- 1) Approved a request for acceptance of a gift-in-place construction project for **Football Practice Field Turf** at the University of Memphis in Memphis, Tennessee.

Estimated Project Cost: \$ 750,000.00
SBC Project No. 166/007-05-2009

Walters State Community College, Morristown, Tennessee

- 1) Approved a request for a revision in estimated project cost and funding from \$275,000.00 to \$155,000.00 (a \$120,000.00 decrease) and acknowledgement of source of funding for **Greenville/Greene County Center Fire Alarm Replacement** at Walters State Community College in Morristown, Tennessee.

Revised Estimated Project Cost: \$155,000.00
SBC Project No. 166/023-01-2008

- 2) Approved a request for a revision in estimated project cost and funding from \$600,000.00 to \$720,000.00 (a \$120,000.00 increase) and acknowledgement of source of funding for **Greeneville Center Safety Corrections/Demolition** at Walters State Community College in Morristown, Tennessee, and authorization to award a construction contract to Burwill Construction Company, Inc. in the amount of \$563,000.00 based upon the base bid and Alternate No. 1 received May 27, 2009.

Revised Estimated Project Cost: \$720,000.00
SBC Project No. 166/023-03-2008

Small projects per TCA § 49-7-132 and SBC Policy 2.01(A) 3

(multiple local expenditures each under \$100,000 that in six months exceed \$100,000 on a single building)

- 1) Approved a project and acknowledgment of the source of funding for **VA Building #1 Renovations** at East Tennessee State University in Johnson City, Tennessee.

Estimated Project Cost: \$ 150,000.00
SBC Project No. 166/005-02-2009

Middle Tennessee State University, Murfreesboro, Tennessee

- 1) Chancellor Manning presented a request for approval of a revision in estimated project cost and funding from \$74,630,000.00 to \$77,130,000.00 (a \$2,500,000.00 increase), acknowledgement of source of funding, and approval of the Early Design Phase for **New Student Union** at Middle Tennessee State University, in Murfreesboro, Tennessee, as presented by the joint venture of Street Dixon Rick Architecture/Thomas Miller & Partners.

Following the presentation by Steve Rick, Treasurer Lillard questioned the energy efficiency of the building. Mr. Rick responded that lighting studies were being conducted to determine the amount of energy being used, and they were pleased with the findings. In response to questions regarding the \$2.5 million increase, Chancellor Manning responded that it was to be used for kitchen equipment and furnishings to accommodate the vendor and that the vendor was responsible for payment of the debt service. The Commission approved the request without objection.

Revised Estimated Project Cost \$77,130,000.00
SBC Project No. 166/009-05-2005

Discussion of Bids

- 1) **East Tennessee State University, Johnson City**
(Several Buildings Asbestos Abatement)
SBC Project No. 166/005-02-2008
Bid date: 06-03-2009
SBC Action: No action required

- 2) **Tennessee State University, Nashville**
(Clement Hall Allied Health Renovations)
SBC Project No. 166/001-05-2005
Bid date: 06-03-2009
SBC Action: No action required

- 3) **Middle Tennessee State University, Murfreesboro**
(Several Buildings Safety & Code Corrections)
SBC Project No. 166/009-06-2004
Bid date: 06-10-2009
SBC Action: Referred to Subcommittee with authority to act

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DEPARTMENT OF FINANCE AND ADMINISTRATION

11:35 a.m.

INTERMEDIATE CARE FACILITIES / MR HOMES – FAYETTE COUNTY, TENNESSEE

- 1) At the Treasurer's request, the Commission referred to the Subcommittee, with authority to act, a request for approval of a grant in the amount of \$290,665.00 to the Oakland Utility District for installation of waterline to provide fire protection for **ICF/MR Group Homes** in the vicinity of Arlington Developmental Center in Fayette County, Tennessee.

Estimated Project Cost: \$56,580,000.00
SBC Project No. 346/000-05-2005

STATEWIDE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$75,000.00 to \$150,000.00 (\$75,000.00 increase) of a project for **Miscellaneous Expenditures**.

Revised Estimated Project Cost: \$150,000.00
SBC Project No. 529/000-10-1998

STATEWIDE

- 1) Approved a request to accept the first one-year option on the **Direct Order Contract**, statewide.

Estimated Project Cost: \$10,000,000.00
SBC Project No. 529/000-02-2005

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STATE BUILDING COMMISSION

BY-LAWS, POLICY & PROCEDURES OF THE STATE BUILDING COMMISSION

- 1) Approved the following revisions to the *By-laws, Policy & Procedures of the State Building Commission*, as recommended by the Executive Subcommittee.

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5.01 REQUIREMENTS FOR ALL PROCUREMENT

A. **Diversity** ~~Minority~~ participation in projects

It is the express desire of the State Building Commission to include an emphasis on diversity in its contractual relationships with contractors for the construction, demolition or renovation of State projects under the jurisdiction of the Commission. The Commission acknowledges that firms who demonstrate and embrace diversity within their programs and policies are assisting the State in achieving its goals in building a more reflective marketplace of the community within this state. [SBC meeting minutes 3/10/94 and 1/8/04]

1. It is a policy of the State Building Commission that the above statement shall accompany the bidding or proposal documents for State projects under the jurisdiction of the Commission.
2. It is a requirement of all successful bidders or proposers on projects under the jurisdiction of the State Building Commission that they report to the State the names and amounts of contracts entered into with **diversity** ~~minority~~-owned businesses on their contract with the State in order for the State to collect data on such participation.
3. For projects under the jurisdiction of the State Building Commission which utilize a procurement process for selection of a contractor which involves an evaluation of qualifications and experience as well as price, it is the intent of the Commission that such proposal evaluations will recognize the positive qualifications and experience of proposers utilizing minority, women, small and disabled businesses as well as a diverse workforce to meet service needs. **In support of the above, it is the intent of the Commission to require proposers or bidders to submit in the qualification section of the procurement document:**
 1. **A description of the Proposer's existing programs and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, persons with a disability and small business enterprises**
 2. **A listing of the Proposer's current contracts with business enterprises owned by minorities, women, persons with a disability and small business enterprises**
 3. **An estimate of the level of participation by business enterprises owned by minorities, women, persons with a disability and small business enterprises in a contract awarded to the Proposer pursuant to this RFP**
 4. **The percent of the Proposer's current employees listed by gender, noting ethnicity and disability**

- a) ~~In support of the above it is the intent of the Commission to require proposers or bidders to submit in the qualification section of the procurement document a description of proposers existing programs and procedures encouraging diversity participation.~~
- b) ~~In addition, proposers are to submit the following:~~
 - 1) ~~Listing of proposer's current contracts involving diversity participation~~
 - 2) ~~Estimated dollar amount and percentage of proposed diversity participation in the current procurement~~
 - 3) ~~Percent of proposer's current employees by ethnicity, sex and disability~~

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13.01 ~~NASHVILLE THERMAL TRANSFER CORPORATION BOARD MEMBERSHIP~~ METRO NASHVILLE DISTRICT ENERGY SYSTEM

The Commission, in accordance with the Charter of the ~~Nashville Thermal Transfer Corporation~~ Metro Nashville District Energy System, will appoint, by name and State title, ~~two~~ one members to the ~~Board of Trustees Advisory Board~~ for the ~~Nashville thermal Transfer Corporation~~ Metro Nashville District Energy System.

SPECIAL ITEM

- 1) Approved a request to elect Joy Harris, Staff Assistant to the Treasurer, to serve as the State's representative on the Advisory Board for the **Metro Nashville District Energy System** as nominated by the Executive Subcommittee for recommendation to the Commission.

REGION 4 – ELIZABETHTON, CARTER COUNTY, TENNESSEE

- 1) A request was brought up from the floor for approval to enter into a contract with HDR Engineering, Inc. to develop a conceptual plan and estimated cost for a cold water hatchery, including a section dedicated to rearing non-game fish species in need of management, and an aquatic educational center component. Representatives of TWRA, John Gregory and Nat Johnson, stated that the Fishpro Company, now HDR Engineering, had worked with TWRA in a review of their warm and cold water hatcheries in 2002 and had personnel familiar with hatchery functions and design. They added that concept plans will be used to solicit partners and grant dollars to be used to fund the final design and construction of the facility. The cost for the concept plan will be no more than \$5,000 and funded by TWRA license revenue funds. Speaker Williams stated that the property is located in Elizabethton, Tennessee, and that they have many ways of generating federal dollars. He added that most of the State's hatcheries are 40-50 years old and need to be refurbished. He said that this hatchery could make upper East Tennessee the trout capitol of the world. Treasurer Lillard then made a motion to approve the request, contingent upon funding being in the 2009/2010 budget. The motion was seconded, and passed without objection.

Estimated Project Cost: \$5,000.00
SBC Project No. 220/020-02-2009

MINUTES OF MEETING OF STATE BUILDING COMMISSION

- 1) Approved the Minutes of the State Building Commission meeting held on May 14, 2009.

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

- 1) **Tennessee State University** Approval to adjust the base.
(Several Bldgs Window & Waterproofing Corrections)
Change Order No. 4
Change Order Amount: \$22,664.72
Change Order Percent: 3.91
Cumulative Percent 11.70
SBC Project No. 166/001-03-2006
- 2) **University of Memphis**
(Wilder Tower Brick Façade Restoration)
Change Order No. 3
Change Order Amount: \$2,679.98
Change Order Percent: 0.12
Cumulative Percent 10.86
SBC Project No. 166/007-04-2006
- 3) **Tennessee Technology Center at Newbern** Approval to adjust the base.
(HVAC Update)
Change Order No. 3
Change Order Amount: \$19,226.30
Change Order Percent: 10.91
Cumulative Percent 16.96
SBC Project No. 166/076-01-2007

DESIGNER SELECTION LIST

Approved the following designer selections as recommended by the Subcommittee.

- 1) **Alvin C. York Agricultural Institute**
(Bleacher and Pressbox Replacement)
Estimated Project Cost: \$470,000.00
SBC Project No. 168/001-01-2009
Designer: **ODLE & YOUNG ARCHITECTS**
- 2) **West Tennessee State Penitentiary**
(Minimum Housing Expansion)
Estimated Project Cost: \$6,700,000.00
SBC Project No. 142/022-01-2007
Designer: **REPLACE JOINT VENTURE OF "CLARK-DIXON / BUCHART HORN" WITH "CLARK-DIXON / SSR-ELLERS"**

- 3) **Tennessee State University**
(Performing Arts/Radio Station Facility)
Estimated Project Cost: \$1,360,000.00
SBC Project No. 166/001-01-2009
Designer: **MOODY NOLAN**

- 4) **Tennessee Wildlife Resources Agency – Region 4**
(Hatchery / Aquatic Educational Center – Conceptual Plan)
Estimated Project Cost: \$5,000.00
SBC Project No. 220/020-02-2009
Designer: **HDR ENGINEERING**

EXECUTIVE SUB-COMMITTEE REPORT

- 1) Report received of final action taken at the State Building Commission Executive Subcommittee meetings held on April 20 and April 27, 2009.

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There being no further action, the meeting adjourned at 11:45 a.m.

Approved by: _____

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