

# Meeting Copy

## **AGENDA**

STATE BUILDING COMMISSION MEETING

HOUSE HEARING ROOM 30

LEGISLATIVE PLAZA

NOVEMBER 12, 2009

11:00 A.M.

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SCHEDULE FOR STATE BUILDING COMMISSION MEETING

November 12, 2009

DEPARTMENT OF HUMAN SERVICES

TENNESSEE REHABILITATION CENTER, SMYRNA, TENNESSEE

1) Review of a request for APPROVAL to CANCEL the following projects at Tennessee Rehabilitation Center, Smyrna, in order to combine them as one project, based on the second request:

A. **Campus Systems Upgrade**

Estimated Project Cost: \$1,355,000.00

Source of Funding:

07/08 Current Funds-Capital Maint \$ 323,000.00

Federal Funds \$1,032,000.00

SBC Project No. 442/006-02-2007

Designer: I.C. THOMASON ASSOCIATES

B. **ADA Accessibility/Exterior Stair Upgrade**

Estimated Project Cost: \$1,786,000.00

Source of Funding:

Current Funds-Capital Maint (ADA) \$ 741,000.00

Federal Funds \$1,045,000.00

SBC Project No. 442/006-03-2007

Designer: STREET DIXON RICK ARCHITECTURE

2) Review of a request for APPROVAL of a PROJECT and ACKNOWLEDGMENT of the SOURCE of FUNDING for Campus Improvements at Tennessee Rehabilitation Center, Smyrna, and APPROVAL of a JOINT VENTURE between the designers previously approved for the two canceled projects.

Estimated Project Cost: \$3,141,000.00

Source of Funding:

Current Funds-Capital Maint (ADA) \$ 741,000.00

07/08 Current Funds-Capital Maint \$ 323,000.00

Federal Funds \$2,077,000.00

SBC Project No. 442/006-03-2009

This project will upgrade buildings within the facility to meet current codes including ADA accessibility guidelines, hot water distribution, lighting and kitchen HVAC. Work will be in similar buildings and it will be cost effective for the State to combine the projects, benefit from one contractor's mark-up and prevent potential conflicts.

SCHEDULE FOR STATE BUILDING COMMISSION MEETING

November 12, 2009

DEPARTMENT OF HEALTH

EAST TENNESSEE REGIONAL HEALTH OFFICE, KNOXVILLE, TENNESSEE

- 1) Review of a request for APPROVAL of a PROJECT and ACKNOWLEDGMENT of the SOURCE of FUNDING for **ADA Upgrades** at East Tennessee Regional Health Office, Knoxville, and SELECTION of a DESIGNER to design and supervise the project.

Estimated Project Cost:	\$155,000.00
<u>Source of Funding:</u>	
97 G.O. Bonds-Capital Maint (ADA)	\$ 10,151.33
99 G.O. Bonds-Capital Maint (ADA)	\$ 25,191.99
00 G.O. Bonds-Capital Maint (ADA)	\$ 94,513.57
05/06 Current Funds-Capital Maint (ADA)	\$ 25,143.11
<i>SBC Project No.</i>	<i>408/001-01-2009</i>

The existing facility was constructed in 1976. The first floor (laboratory) was renovated in 2001, including ADA required modifications. The second and third floor restrooms are not ADA compliant. These facilities are used by the clinic patients as well as staff and visitors.

SCHEDULE FOR STATE BUILDING COMMISSION MEETING

November 12, 2009

TENNESSEE WILDLIFE RESOURCES AGENCY

REGION 4 – MOHAWK, GREENE COUNTY, TENNESSEE

- 1) Review of a request for APPROVAL of a REVISION in FUNDING and ACKNOWLEDGMENT of the SOURCE of FUNDING from \$170,000.00 to \$230,000.00 (\$60,000.00 increase) for **Work Base Building** at Lick Creek Refuge at Mohawk, Greene County, Tennessee.

Revised Estimated Project Cost:	\$230,000.00		
<u>Source of Funding:</u>	<u>Original</u>	<u>Increase</u>	<u>Revised</u>
TWRA Operating Funds	\$170,000.00	\$60,000.00	\$230,000.00
<i>SBC Project No.</i>	<i>220/020-01-2008</i>		

Increase in funds to meet the designers estimate. Agency will provide project site work.

SCHEDULE FOR STATE BUILDING COMMISSION MEETING

November 12, 2009

DEPARTMENT OF VETERANS AFFAIRS

EAST TENNESSEE STATE VETERANS CEMETERY, KNOXVILLE, TENNESSEE

- 1) Review of a request for APPROVAL of a REVISION in PLANNING FUNDS from \$282,000.00 to \$607,000.00 (\$325,000.00 increase) for **Cemetery Expansion** at East Tennessee State Veterans' Cemetery, Knoxville, Tennessee.

Estimated Project Cost:	\$2,532,000.00		
Revised Estimated Planning Cost:	\$ 607,000.00		
<u>Source of Planning Funds:</u>	<u>Original</u>	<u>Increase</u>	<u>Revised</u>
06/07 Current Funds-Capital Outlay	\$282,000.00	\$ 0.00	\$282,000.00
92/93 Current Funds-Capital Outlay	<u>0.00</u>	<u>325,000.00</u>	<u>325,000.00</u>
TOTAL PLANNING FUNDING	\$282,000.00	\$325,000.00	\$607,000.00
<i>SBC Project No.</i>	<i>682/000-03-2006</i>		

Project is a priority since burial capacity of the existing site anticipated in 2011. The Federal VA will not support the Veterans Cemetery expanding across the street at Lakeshore. The City of Knoxville proposes to purchase a new site for expansion of the cemetery in return for using the cemetery expansion Lakeshore property for recreational use. Federal grant will reimburse the State for costs for design and construction.

**SCHEDULE FOR STATE BUILDING COMMISSION MEETING**

November 12, 2009

**UNIVERSITY OF TENNESSEE**

**UNIVERSITY OF TENNESSEE, OAK RIDGE, TENNESSEE**

- 1) Review of a request for APPROVAL of a REVISION in FUNDING and ACKNOWLEDGMENT of the SOURCE of FUNDING from \$9,400,000.00 to \$10,400,000.00 (\$1,000,000.00 increase) and APPROVAL to AWARD Alternates 1 & 2 to Rouse Construction Inc. on a project for **Joint Institute of Neutron Sciences** at the University of Tennessee at Oak Ridge, Tennessee.

<b>Revised Estimated Project Cost:</b>	<b>\$10,400,000.00</b>		
<u>Source of Funding:</u>	<u>Original</u>	<u>Increase</u>	<u>Revised</u>
03/04 Current Funds-Capital Outlay	\$ 400,000.00	\$ 0.00	\$ 400,000.00
05/06 Current Funds-Capital Outlay	500,000.00	0.00	500,000.00
05 G.O. Bonds-Capital Outlay	7,500,000.00	0.00	7,500,000.00
TSSBA	1,000,000.00	0.00	1,000,000.00
Reserves	0.00	1,000,000.00	1,000,000.00
<b>TOTAL</b>	<b>\$9,400,000.00</b>	<b>\$1,000,000.00</b>	<b>\$10,400,000.00</b>
<i>SBC Project No.</i>	<i>529/094-01-2003</i>		

This project will provide a new facility for the Joint Institute for Neutron Sciences at the Oak Ridge National Laboratory in Oak Ridge. The increase will complete the build-out of approximately 7,300 sf based on the original low bid for Alternates 1 and 2.

**UNIVERSITY OF TENNESSEE INSTITUTE OF AGRICULTURE, GREENEVILLE, TENNESSEE**

- 1) Review of a request for APPROVAL of a REVISION in SOURCE and FUNDING from \$2,100,000.00 to \$2,225,000.00 (\$125,000.00 increase) of a project for **Greeneville 4-H Center Improvements** at the University of Tennessee Institute of Agriculture, Greeneville, and AUTHORIZATION to AWARD a contract to D & S Builders in the amount of \$1,812,000.00 based on bids received October 22, 2009.

<b>Revised Estimated Project Cost:</b>	<b>\$2,225,000.00</b>		
<u>Source of Funding:</u>	<u>Original</u>	<u>Change</u>	<u>Revised</u>
TSSBA	\$2,100,000.00	(\$2,100,000.00)	\$ 0.00
Gifts	0.00	2,225,000.00	2,225,000.00
<b>TOTAL</b>	<b>\$2,100,000.00</b>	<b>\$ 125,000.00</b>	<b>\$2,225,000.00</b>
<i>SBC Project No.</i>	<i>540/009-11-2007</i>		

This project will provide new staff housing facilities at the Greeneville 4-H Center.

UNIVERSITY OF TENNESSEE AT KNOXVILLE, TENNESSEE

- 1) Review of a request for APPROVAL of a DESIGNER CHANGE on a project for **Fraternity Houses Renovation & Additions** (Sigma Phi Epsilon) at the University of Tennessee at Knoxville, Tennessee.

*SBC Project No. 540/009-37-2004*

Following the death of the original designer, Henry Bledsoe, the Sigma Phi Epsilon Fraternity recommends the firm Purser Lee, PLLC, to complete the design services required.

- 2) Review of a request for APPROVAL of a REVISION in SCOPE of a project for **Roof Repair and Replacement** at the University of Tennessee at Knoxville, to include adding the Conference Center Building to the scope and deleting several other buildings from the project.

**Estimated Project Cost: \$2,300,000.00**

Source of Funding: 04/05 Current Funds-Capital Maintenance

*SBC Project No. 540/009-05-2003*

The buildings to be deleted from the project will be razed in the near future as part of other capital outlay projects currently in the design phase: Student Health, Music, Temple Court, Aconda Court, and 812 Volunteer Boulevard.

- 3) Review of a request for APPROVAL of a CHANGE in SUBCONTRACTOR for **Electrical and Computer Engineering Building** at the University of Tennessee at Knoxville, Tennessee.

*SBC Project No. 540/009-08-2005*

Blaine Construction, the contractor for this project, has notified the University that they have replaced their electrical subcontractor, Atlas Electric Company, with Shoffner Kalthoff Mechanical Electrical Service because of Atlas Electric Company's inability to fulfill its contract obligations to Blaine. The University has no objection to this replacement.

**SCHEDULE FOR STATE BUILDING COMMISSION MEETING**

November 12, 2009

**TENNESSEE BOARD OF REGENTS**

**Statewide**

- 1) Review of a request for APPROVAL of a MODIFICATION to the CONTRACT for **Performance Contracting** to extend the Energy Savings Performance contract with Ameresco Enertech, Inc. for one year.

<b>Estimated Project Cost:</b>			<b>\$ 60,000,000.00</b>
<b><u>Source of Funding:</u></b>	<u>Existing</u>	<u>Increase</u>	<u>Revised</u>
T S S B A (DO # 1 - # 15)	47,428,000.00	0	47,428,000.00
06/07 Current Funds-Capital Maint.	20,000.00	0	20,000.00
2006 G.O. Bonds-Capital Maint	420,000.00	0	420,000.00
05/06 Current Funds-Capital Maint.	290,000.00	0	290,000.00
07/08 Current Funds-Capital Maint.	50,000.00	0	50,000.00
2007 G.O. Bonds-Capital Maint	1,744,000.00	0	1,744,000.00
Utility Reserves	500,000.00	0	500,000.00
	<hr/> 50,452,000.00	<hr/> 0	<hr/> 50,452,000.00

**SBC Project No. 166/000-01-2002**

The current contract with Ameresco Enertech expires on January 31, 2010. Extending the Ameresco contract one year allows for the opportunity to quickly capture and apply newly available federal stimulus (ARRA) funds within the ongoing Energy Savings Performance Contracting Program.

- 2) Review of a request for APPROVAL to ISSUE a REQUEST for PROPOSALS for **Commissioning Agent Master Contract Statewide.**

**SBC Project No. 166/000-05-2009**

Project will provide a Commissioning Agent(s) for TBR facilities. The contract will be for a maximum of five years and will allow use by UT and Real Property Administration under separate contract. All services will be provided under separately approved project specific Work Order Agreements. It is TBR's intent to award a contract to two to three qualified companies. TBR will complete all projects started under the current commissioning contract which expires on December 31, 2009.

**East Tennessee State University, Johnson City, Tennessee**

- 1) Review of a request for a REVISION in ESTIMATED PROJECT COST and FUNDING from \$3,502,000.00 to \$3,932,000.00 (a \$430,000.00 increase) and ACKNOWLEDGEMENT of SOURCE of FUNDING for **Soccer Facilities Development** at East Tennessee State University in Johnson City, Tennessee.

<b>Revised Estimated Project Cost:</b>			<b>\$3,932,000.00</b>
<u>Source of Funding:</u>	<u>Existing</u>	<u>Increase</u>	<u>Revised</u>
TSSBA (debt service fees)	3,000,000.00		3,000,000.00
Campus Plant Funds	375,000.00	0	375,000.00
Gifts	127,000.00	150,000.00	277,000.00
Student Fees ( excess debt service)	0	260,000.00	260,000.00
Athletic Funds	0	20,000.00	20,000.00
	<u>3,502,000.00</u>	<u>430,000.00</u>	<u>3,932,000.00</u>

SBC Project No. 166/005-16-2005

Hodge Engineering Company is the designer for this project. The increase will cover the cost to install lighting which was part of the scope but not available during original construction.

- 2) Review of a request for APPROVAL of a PROJECT, APPROVAL to INCLUDE COMMISSIONING, and ACKNOWLEDGMENT of SOURCE of FUNDING for **Buc Ridge Apartment Complex Phase 4** at East Tennessee State University in Johnson City, Tennessee, and SELECTION of a DESIGNER to design and supervise the project.

<b>Estimated Project Cost:</b>	<b>\$11,000,000.00</b>
<u>Source of Funding:</u>	TSSBA (rent)
SBC Project No.	166/005-10-2009

Project to construct a 128-bed apartment complex was disclosed in the FY 09/10 budget. This is the final phase of the Buc Ridge Apartment Complex.

**Middle Tennessee State University, Murfreesboro, Tennessee**

- 1) Review of a request for AUTHORIZATION to AWARD a GENERAL CONTRACTOR CONTRACT for **Tucker Theatre Renovations** at Middle Tennessee State University in Murfreesboro, Tennessee based upon Best Value Option 1 for Proposals received October 6, 2009.

<b>Estimated Project Cost:</b>	<b>\$1,800,000.00</b>
<u>Source of Funding:</u>	Campus Plant Funds
SBC Project No.	166/009-03-2009

Bauer Askew Architecture, PLLC is the designer for project which includes seat, carpet, and lighting replacement as well as upgrades to the stage.

**University of Memphis, Memphis, Tennessee**

- 1) Review of a request for a REVISION in FUNDING, from \$850,000,000.00 to \$1,153,484.00 (a \$303,484.00 increase), and ACKNOWLEDGMENT of SOURCE of FUNDING for **Community Health Facility** at the University of Memphis in Memphis, Tennessee.

<b>Estimated Project Cost:</b>			<b>\$55,000,000.00</b>
<b>Revised Estimated Planning Cost:</b>			<b>\$ 1,153,484.00</b>
<b><u>Source of Planning Funding:</u></b>	<u>Existing</u>	<u>Increase</u>	<u>Revised</u>
07/08 Current Funds-Capital Outlay	850,000.00	0	850,000.00
Federal Grant (HRSA)	0	303,484.00	303,484.00
	850,000.00	303,484.00	1,153,484.00
<b>SBC Project No.</b>	<b>166/007-07-2007</b>		

Askew Nixon Ferguson Architects, Inc. is the designer for this replacement facility. The additional funding will offset state expenditures.

- 2) Review of a request for REVISION in SCOPE, ESTIMATED PROJECT COST and FUNDING, from \$895,000.00 to \$1,161,000.00 (a \$266,000.00 increase), and ACKNOWLEDGMENT of SOURCE of FUNDING for **Parking Improvements** at the University of Memphis in Memphis, Tennessee.

<b>Revised Estimated Project Cost:</b>			<b>\$1,161,000.00</b>
<b><u>Source of Funding:</u></b>	<u>Existing</u>	<u>Increase</u>	<u>Revised</u>
Campus Auxiliary (parking)	800,000.00	266,000.00	1,066,000.00
Campus Plant Funds	95,000.00	0	95,000.00
	895,000.00	266,000.00	1,161,000.00
<b>SBC Project No.</b>	<b>166/007-07-2009</b>		

Burr and Cole Consulting Engineers is the designer for this project. The additional work includes improvements to the parking lot at Southern Avenue and Patterson. Work includes paving, lighting, gates, landscaping, and striping as well as the addition of 13 more parking spaces.

- 3) Review of a request for APPROVAL of a PROJECT and ACKNOWLEDGMENT of SOURCE of FUNDING for **Clement Hall Damage Remediation** at the University of Memphis in Memphis, Tennessee.

<b>Estimated Project Cost:</b>	<b>\$590,000.00</b>
<b><u>Source of Funding:</u></b>	
Insurance Proceeds	565,000.00
Campus Plant Funds	25,000.00
	590,000.00

SBC Project No. 166/007-10-2009

The campus had a steam leak over the weekend of October 17, 2009 saturating Clement Hall. ServePro removed damaged ceiling and wall board and dried the building. Remediation was performed through the University's Direct Order Contract & Force Account.

- 4) Review of a request for APPROVAL of a PROJECT and ACKNOWLEDGMENT of SOURCE of FUNDING for **Mynders and South Hall Exterior Repairs** at the University of Memphis in Memphis, Tennessee, and SELECTION of a DESIGNER to design and supervise the project.

<b>Estimated Project Cost:</b>	<b>\$850,000.00</b>
<b><u>Source of Funding:</u></b>	Campus Auxiliary (housing)
<b>SBC Project No.</b>	<b>166/007-11-2009</b>

Project will replace roofs and making exterior brick and window repairs to both buildings. Project was disclosed in the FY 09/10 budget as a part Residence Halls Repairs.

- 5) Review of a request for APPROVAL of a PROJECT and ACKNOWLEDGMENT of SOURCE of FUNDING for **Richardson Hall Exterior Repairs** at the University of Memphis in Memphis, Tennessee, and SELECTION of a DESIGNER to design and supervise the project.

<b>Estimated Project Cost:</b>	<b>\$750,000.00</b>
<b><u>Source of Funding:</u></b>	Campus Auxiliary (housing)
<b>SBC Project No.</b>	<b>166/007-12-2009</b>

Project to make exterior structural and brick repairs was disclosed in the FY 09/10 budget as a part Residence Halls Repairs.

- 6) Review of a request for APPROVAL to PLAN a PROJECT and ACKNOWLEDGMENT of SOURCE of FUNDING for **Robison Hall Renovation** at the **University of Memphis** in Memphis, Tennessee, and SELECTION of a DESIGNER to design and supervise the project.

Estimated Project Cost:	\$4,850,000.00
Estimated Planning Cost:	\$ 200,000.00
<u>Source of Funding:</u>	Campus Plant Funds
SBC Project No.	166/007-13-2009

Project to make renovations to former dormitory for education and general use disclosed in FY 09/10 budget.

- 7) Review of a request for ACCEPTANCE of a GIFT-IN-PLACE CONSTRUCTION PROJECT for **Women's Fieldhouse Renovations** at the **University of Memphis** in Memphis, Tennessee.

Estimated Project Cost:	\$750,000.00
<u>Source of Funding:</u>	Athletic Gifts (UoM Foundation)
SBC Project No.	166/007-14-2009

Fieldhouse Renovations were disclosed in the FY 09/10 budget cycle. The UoM Foundation will contract with Evans Taylor Foster Childress for design services and hire a contractor.

**Walters State Community College**, Morristown, Tennessee

- 1) Review of a request for APPROVAL of a CHANGE in SUBCONTRACTORS for **Student Services Building and Renovations** at **Walters State Community College** in Morristown, Tennessee.

Estimated Project Cost	\$8,350,000.00
<u>Source of Funding:</u>	
	03/04 Current Funds – Capital Outlay 150,000.00
	07/08 Current Funds – Capital Outlay 700,000.00
	2007 G. O. Bonds – Capital Outlay 7,500,000.00
	8,350,000.00
SBC Project No.	166/023-03-1993

Ken Ross Architects, Inc. is the designer for this construction project. The contractor, Johnson & Galyon, Inc., has notified TBR that their HVAC subcontractor, United Services, Inc., has withdrawn their bid. Johnson & Galyon requests Engert Plumbing and Heating Company, Inc. as their replacement HVAC subcontractor.

**Discussion of Bids**

- 1) **Tennessee Technological University, Cookeville**  
 (Campus-wide Elevator Update)  
 SBC Project No. 166/011-01-2007  
 Bid date: 11-04-2009

## SCHEDULE FOR STATE BUILDING COMMISSION MEETING

November 12, 2009

### DEPARTMENT OF FINANCE AND ADMINISTRATION

#### WILLIAM R. SNODGRASS TENNESSEE TOWER, NASHVILLE, TENNESSEE

- 1) Review of a request for APPROVAL of a REVISION in SCOPE and FUNDING from \$251,000.00 to \$75,000.00 (\$176,000.00 decrease) for **Food Service Facility** at William R. Snodgrass Tennessee Tower, Nashville, Tennessee.

<b>Revised Estimated Project Cost:</b>	<b>\$75,000.00</b>		
<u>Source of Funding:</u>	<u>Original</u>	<u>Decrease</u>	<u>Revised</u>
Tennessee Business Enterprise	\$251,000.00	(\$176,000.00)	\$75,000.00
<i>SBC Project No.</i>	<i>529/079-01-2008</i>		

The scope for this project will be limited to improvements to the existing food service facility located on the 3<sup>rd</sup> Floor of the WRS Tennessee Tower. Proposed work will include the addition of several pieces of kitchen equipment and minor architectural revisions. All improvements will be contracted and funded by Tennessee Business Enterprise.

#### STATEWIDE

- 1) Review of a request for APPROVAL to EXTEND the contract for **Management Assistance** not to exceed six months.

*SBC Project No.*                      *529/000-09-2003*

Complications have arisen with the RFP that has been issued for a new contract for Management Assistance. Consequently, in order to continue with management assistance, a time extension is needed for the existing contract to provide this assistance on a continual basis. Existing contract expires January 31, 2010.

#### TOURIST DEVELOPMENT ZONE – NASHVILLE, TENNESSEE

- 1) Review of a request for approval of a **Tourist Development Zone** in Metro Nashville, Tennessee.

*SBC Project No.*                      *529/000-10-2009*

The Department of Finance & Administration has deemed the plan, as submitted, complies with the Convention Center Financing Act as set forth in T.C.A. 7-88-101 et seq

#### DONNELLY J. HILL STATE OFFICE BUILDING, MEMPHIS, TENNESSEE

- 1) Discussion of a Memorandum of Understanding between the State of Tennessee and Shelby County for **Plaza Upgrade** at Donnelly J. Hill State Office Building, Memphis, Tennessee.

*SBC Project No.*                      *460/003-01-2004*

Mutual agreement is needed in order for the construction project to proceed without incurring additional delay costs.

# SCHEDULE FOR STATE BUILDING COMMISSION MEETING

November 12, 2009

## STATE BUILDING COMMISSION

### MINUTES OF MEETING OF STATE BUILDING COMMISSION

- 1) READING and APPROVAL of the Minutes of the State Building Commission meeting held on October 8, 2009.

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

- 1) **University of Tennessee System**  
(Cherokee Farm Infrastructure Improvements)  
Change Order No. 3  
Change Order Amount: \$13,808.09  
Change Order Percent: 5.5  
Cumulative Percent 22.5  
SBC Project No. 540/009-04-2007  
Removal of two additional concrete foundations encountered during demolition activities.
- 2) **University of Tennessee Knoxville**  
(Campus Entrances Phase 2)  
Change Order No. 1  
Change Order Amount: \$120,146.00  
Change Order Percent: 21.1  
Cumulative Percent 21.1  
SBC Project No. 540/009-10-2002  
Additional asphalt and rock removal.
- 3) **University of Tennessee Knoxville**  
(Ayres Hall Renovation)  
Change Order No. 2  
Change Order Amount: \$36,858.00  
Change Order Percent: 7.6  
Cumulative Percent 22.7  
SBC Project No. 540/009-06-2006  
Provide mock up of refinished existing wood flooring and paneling.
- 4) **University of Tennessee Knoxville**  
(Thompson-Boling Arena Improvements)  
Change Order No. 2  
Change Order Amount: \$165,637.00  
Change Order Percent: 9.8  
Cumulative Percent 11.0  
SBC Project No. 540/009-22-2005  
Remedial work associated with fire line relocation and revisions to electrical conduit and sprinkler lines.

- 5) **University of Tennessee Knoxville**  
 (Thompson Boling Arena Improvements)  
 Change Order No. 3  
 Change Order Amount: \$31,608.00  
 Change Order Percent: 1.8  
 Cumulative Percent 12.8  
 SBC Project No. 540/009-22-2005  
 Removal of additional retaining wall footing and revisions required for grease trap and light poles.
- 6) **University of Tennessee Knoxville**  
 (Neyland Stadium Improvements Phase 2)  
 Change Order No. 7  
 Change Order Amount: \$493,984.00  
 Change Order Percent: 1.1  
 Cumulative Percent 10.7  
 SBC Project No. 540/009-02-2005  
 Revisions to structural steel, HVAC and electrical systems and millwork revisions.
- 7) **University of Tennessee Health Science Center**  
 (Parking Lot Improvements – SAC Garage Repairs)  
 Change Order No. 1  
 Change Order Amount: \$87,917.23  
 Change Order Percent: 29.0  
 Cumulative Percent 29.0  
 SBC Project No. 540/013-03-2007  
 Repair to additional concrete quantities in accordance with unit pricing. Replacement of deteriorated electrical conduit and relocation of data wiring.
- 8) **Tennessee State University**  
 (Infrastructure Repairs/Replacement)  
 Change Order No. 3  
 Change Order Amount: \$5,219.23  
 Change Order Percent: 1.37  
 Cumulative Percent 10.14  
 SBC Project No. 166/001-02-2008  
 This adds use of copper instead of aluminum when replacing a damaged duct bank.
- 9) **University of Memphis**  
 (Engineering Complex HVAC & fire Systems Modernization)  
 Change Order No. 4  
 Change Order Amount: \$253,647.33  
 Change Order Percent: 12.90  
 Cumulative Percent 14.09  
 SBC Project No. 166/007-02-2006  
 This adds a 3-boiler hot water system instead of a reheat boiler in order to take the buildings off the central plant grid.  
 Approval to adjust the base.
- 10) **Nashville State Community College**  
 (Community College Renovations)  
 Change Order No. 3  
 Change Order Amount: \$31,344.77  
 Change Order Percent: 20.26  
 Cumulative Percent 26.80  
 SBC Project No. 166/034-02-2007  
 This adds abatement in Buildings A and K, the Clement Building and the Weld Building. Previously undetected asbestos was discovered during demolition.

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| <p>11) <b>Tennessee School for the Deaf</b><br/>(Old Gym Update)<br/>Change Order No. 10<br/>Change Order Amount: \$173,994.27<br/>Change Order Percent: 4.76<br/>Cumulative Percent 13.09<br/>SBC Project No. 168/007-01-2003</p> | <p>Hidden moisture and water damage; mechanical and electrical changes required as a result of unforeseen electrical and drainage conditions.</p>            |
| <p>12) <b>Volunteer Training Site – Milan</b><br/>(Work Bay Addition)<br/>Change Order No. 4<br/>Change Order Amount: \$1,798.25<br/>Change Order Percent: .31<br/>Cumulative Percent 10.1<br/>SBC Project No. 368/031-02-2008</p> | <p>Add double doors to Compressor Room; relocate data outlet drop in Tool Room Vault, and add electrical control circuit for Tool Room overhead door.</p>    |
| <p>13) <b>Volunteer Training Site – Milan</b><br/>(Work Bay Addition)<br/>Change Order No. 5<br/>Change Order Amount: \$738.28<br/>Change Order Percent: .13<br/>Cumulative Percent 10.22<br/>SBC Project No. 368/031-02-2008</p>  | <p>Provide and install shrouds to enclose moving parts and belts of vehicle exhaust motors at each end of the maintenance bay to meet code requirements.</p> |

**DESIGNER SELECTION LIST**

- 1) Review of a request for APPROVAL of the DESIGNER SELECTIONS as recommended.

**EXECUTIVE SUB-COMMITTEE REPORT**

- 1) SUMMARY REPORT of final action taken at the State Building Commission Executive Subcommittee meetings held on September 29 and October 19, 2009 (attached).

## **Subcommittee Action – September 29, 2009**

### DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT

#### WEST TENNESSEE - HAYWOOD COUNTY MEGASITE

- 1) Chairman Dave Goetz called the meeting to order at 2:20 p.m. He announced that this was not a public hearing, and that the SBC doesn't normally hear public testimony, but this meeting was different. He said they were there to hear one item regarding a request for approval to purchase land in Haywood County for the development of a **West Tennessee Megasite** and approval to waive advertisements and appraisals, in an amount not to exceed \$40,300,000. He stated that several people had requested an opportunity to speak and the Subcommittee would recognize them.

Matt Kisber, Commissioner, Department of Economic & Community Development, was recognized and discussed the background and need for the establishment of the megasite with an emphasis on the need for jobs due to the economy. He said the General Assembly had approved the megasite plan and funding the dollars for the project. He discussed the Department's strong track record in the development of megasites. He emphasized that all State environmental laws have been followed in the development of this site and the recommended action will not adversely affect the land or air quality, and would have no impact on Fayette County.

Ed McCallum, attorney, was recognized and stated that he was in the business of helping companies decide where to locate and knows what their concerns are. He acknowledged that rules must be followed for certification. He added that they have the support of the community and they have never certified a site where imminent domain was required. He said this will be the largest certified site in the country and will be on everyone's radar screen. He added that the State's decision will affect not only the State of Tennessee, but the region.

Speaker Emeritus Jimmy Naifeh stated the he represented the people of Haywood and Tipton Counties where unemployment is well above 16%. He added that the recession was devastating to the people of West Tennessee. He listed the members of the newly formed Megasite Authority and added that the project has strong bi-partisan support in West Tennessee.

State Representative Johnny Shaw said he was the Pastor for the Stanton Baptist Church where he has resided for 29 years. He discussed how this megasite has given people hope and an opportunity to make an investment for the young people to become educated. He added that, by the Subcommittee approving the funding for this megasite, the State is not just buying some land, but investing in its people.

Anne Banks, Director, Office of Economic & Community Development for City of Brownsville, said she wanted to add that she believes there is wide spread support for this project and that these communities know it will jumpstart the local economy.

Sheriff Melvin Bond of Haywood County expressed his support for the project and was convinced that there is wide spread support for it. He discussed that poverty is the root of most crimes and this project

can have a positive effect on the poverty level. He said that they were just asking for the same opportunity that Chattanooga and Clarksville have had.

Mayor Franklin Smith thanked Governor Bredesen and the General Assembly for the project that Haywood County would not have been able to generate on its own. He stated that several County and City Mayors were in attendance to show their support. He said the process has been transparent and, if they didn't have willing land owners, they wouldn't have had a project. He said his commitment was to make sure the people know the truth and to make sure everything was done the right way, and he would not do anything to harm Haywood County.

Commissioner Kisber concluded with a statement that this project has the opportunity to transform West Tennessee. He said he knows the Subcommittee supports the megasite in concept, but that it wants to make sure it is done right.

Comptroller Wilson said he had a few questions of Commissioner Kisber. He asked if they have identified the properties to be acquired, and Commissioner Kisber responded "yes" and that they have provided a map. Comptroller Wilson asked if federal funds were involved, and Commissioner Kisber responded "no". Comptroller Wilson further asked if their certificate was current and does his request meet the General Assembly's intent. Commissioner Kisber answered "yes" to both questions.

Treasurer Lillard said he wanted to make sure that the map of parcels was included as part of the record.

Secretary Hargett noted for the record that he had posed three questions to Commissioner Kisber and the Commissioner responded to his questions. The three questions Mr. Hargett posed pertained to identifying the actual land to be purchased, confirmation that prior TVA certification applied to the actual land to be purchased and documentation of megasite certification by the Department of Economic and Community Development.

Nick Crafton was the first of several in opposition of the proposal to speak. Mr. Crafton directed his comments on environmental and ozone issues.

Lawrence Randle, resident of Mason, stated that he was opposed to having it in his backyard and that nobody had come to discuss the project with him. He said he didn't know where he was going to move.

Joyce Taylor, resident of Fredonia, said they had not been informed about the project. She said she was concerned about uprooting the elderly and disabled citizens from their lands. She said she would like the Mayors to get together and let the people know what is going on as she had learned more about the situation since coming to this meeting.

Rita Harris, environmental justice activist, was recognized. She said she supported solar projects and jobs, but that it was a shame to ruin the farm land. She said the talk of economic development is exciting and perks you up, but without taking into account other concerns, it is not right. She asked about the EIS study—when it was done and if a copy was available. She mentioned the Hatchie National Wildlife Refuge being impacted, and that Fredonia is an African American community established back in the 1800's, making it an historical significance area. She said she objects to the

project because the process is tainted and she would love for TVA to explain how African American families did not find out about the megasite process until well over a year later, and why people were never approached about selling their property. She said the white land owners were offered \$10,000 an acre and all the stake holders were not given the same offers. She added that this community should have the right to decide what kind of community it should be and asked that the Subcommittee reject this project proposal on the environmental basis, the historical significance, and the flawed process.

Femesia Harris was recognized and said she was not against jobs. She passionately discussed her concerns over the inadequate school system and law enforcement being able to handle the increase in population and crime. She said she didn't want her peaceful community destroyed.

Cynthia Tappin was recognized and expressed her desire to keep her life the way it has always been.

Tommie Terry was recognized and said he had been enlightened today, and that he thought everyone is entitled to their opinion. He expressed his concern about the neighborhood after the check is signed. He said he was not opposed to jobs, but that nobody has contacted them about how they would be affected by the megasite.

Gary Bullwinkel was recognized. He said that the State of Tennessee cannot pass laws that discriminate, and the question before this body was their responsibility with regard to complying with Title 6. He said that the moment the documents are signed, property values will go down. He added that all the rules of law that were put in place were not followed and the decision that ECD should have done three years ago was not done. He said that Tennessee Title 6 has not met in six years.

Commissioner Goetz asked Commissioner Kisber about Parcel 18. Commissioner Kisber replied that the Livingston property is 500 acres and they intend to negotiate the option with Haywood County. Commissioner Goetz asked about the environmental assessment. Kisber stated it was done when the certification was done and also updated this summer and transmitted to TDEC for their review. Commissioner Goetz asked about the solar farm. Commissioner Kisber stated that it is a separate option and tract, and not part of, or connected to, the megasite.

In response to comments regarding Title 6, Commissioner Kisber stated that no Title 6 complaints have been filed with their office. He said, in closing, when assembling a site of this type, the focus is to impact as few people as possible. He said the site has been designed to give maximum efficiency for development and provide for appropriate buffers. A study was done that indicated the quality of site and area around it would be improved by the investment. Commissioner Goetz asked if property values had gone up. Commissioner Kisber responded that Chattanooga is now considered one of the hottest cities in the country.

Treasurer Lillard stated that he had listened very carefully to all of the statements made on all sides of the issue. He clarified that the State Building Commission is not a judicial fact-finding body, but relies on the representation made by the agencies and statements made by the public. At the September 10 SBC meeting, he had requested the matter be referred to the Executive Subcommittee, with authority to act, because the parcels involved that the State intended to acquire had not been identified with specificity at the time. He said that Commissioner Kisber and his department worked on that, along with Mayor Smith and others, and yesterday a plat was distributed that Commissioner Kisber had

referred to which contained a list of identified parcels which he had moved to be a part of the record for clarity earlier in these proceedings. In light of all these things, the Legislature and Governor have either directly or indirectly approved this project in terms of its concept and general location 2-3 times. Treasurer Lillard stated that an economic opportunity exists at the present time for the State to acquire the land for this megasite as provided and authorized by the Legislature in the last session. Based on the foregoing discussion regarding expiration of the purchase option on October 31, 2009 and the legal issues raised by bond council as to who should take title to it, and the Attorney General regarding a grant from bond proceeds to acquire land in Haywood County, he moved that it was in the best interest of the State to accomplish the transfer of such options and the closing of those transactions as specified in the document being submitted for the record. He further moved that the State staff be authorized and directed to take all appropriate actions to close these transactions, including such negotiation and documentation as necessary to comply with State requirements and to request an expedited meeting of this Subcommittee should that be necessary in the future if, in the opinion of the staff, it involves resolving any additional issues. He further moved, in accordance with the agenda, to approve the waiver of advertisements and appraisals. Comptroller Wilson seconded the motion, which passed unanimously. The meeting adjourned at 4:08 p.m.

**Estimated Project Cost:           \$40,300,000.00**  
*SBC Project No.                   529/000-07-2009*

## **Subcommittee Action – October 19, 2009**

Secretary Hargett called the meeting to order at 10:32 a.m. and requested action on the following matters as presented by State Architect Mike Fitts.

\* \* \* \* \*

### CONSENT AGENDA

Approved the following real property transactions, which had been reviewed and recommended for approval by Sub-Committee staff:

- A. Agency: University of Tennessee – Maury County  
Transaction: Disposal by easement  
Provision: Waiver of advertisement & appraisals
  
- B. Agency: University of Tennessee – Knox County  
Transaction: Disposal by easement  
Provision: Waiver of advertisement & appraisals
  
- C. Agency: Tennessee Board of Regents – Shelby County  
Transaction: Acquisition in fee  
Provision: Waiver of REM fee
  
- D. Agency: Tennessee Board of Regents – Davidson County  
Transaction: Lease agreement
  
- E. Agency: Tennessee Foreign Language Institute – Davidson County  
Transaction: Lease amendment
  
- F. Agency: Tennessee Wildlife Resources Agency – Scott County  
Transaction: Disposal by easement  
Provision: Waiver of advertisement & appraisals
  
- G. Agency: Department of Agriculture – Hamilton County  
Transaction: Disposal in fee  
Provision: Waiver of advertisement & appraisals

### UNIVERSITY OF TENNESSEE

#### LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, WAIVER OF ADVERTISEMENT and ONE (1) APPRAISAL required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description: Knox County – 0.996 +/- acres – 1801 Downtown West Blvd., Knoxville, TN – Trans. No. 09-09-013 (Baugh)

SC Action: 10-19-09. Jurgen Bailey presented the transaction. Alvin Payne was recognized. He stated that this will serve the needs of the Agricultural Extension Office in East Tennessee. He said that the donors and beneficiaries have approved the transaction, and that they will have the payment come back to the University from the trust. Comptroller Wilson asked if a substitute trustee will independently review the price, and was told "yes". Subcommittee approved the request as presented.

### UNIVERSITY OF TENNESSEE

#### LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with as required by TCA 4-15-102 and 12-2-112:

Description: Knox County – 3.269 +/- acres and improvements – 940 Cherokee Blvd., Knoxville, TN – Trans. No. 09-03-005 (Baugh)

SC Action: 10-19-09. Jurgen Bailey presented the transaction. After discussion, Subcommittee approved the request as presented.

### TENNESSEE BOARD OF REGENTS

#### LEASE AGREEMENT

Review of a request for APPROVAL of the following LEASE AMENDMENT for the rental of real property as required by TCA 12-2-115:

Location: Shelby County – 500 Winchester Blvd., Collierville, TN – Trans. No. 09-09-909

SC Action: 10-19-09. Bob King presented the transaction. He said that finding classroom space in this part of Shelby County is very difficult, and Treasurer Lillard concurred that there is very little vacant space. Comptroller Wilson asked that they look for more than a one year lease. Subcommittee approved the request as presented.

### DEPARTMENT OF SAFETY

#### LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description: Giles County – 50 feet x 50 feet lot, Pulaski City, TN – Trans. No. 09-09-012 (Jackson)

SC Action: 10-19-09. Jurgen Bailey presented the transaction. He said that the Department of Transportation inspects this site on a quarterly basis, and that the need is critical. After discussion, Subcommittee approved the request as presented.

### DEPARTMENT OF FINANCE AND ADMINISTRATION

#### DISCUSSION ITEM:

Discussion regarding the approval to EXTEND LEASE GROUND BREAKING TERM with an Option to Purchase on a site located on the north side of the Bicentennial Mall with WAIVER OF ADVERTISEMENT and APPRAISALS as required by T.C.A. 12-2-112 and 12-2-115.

Description: Davidson County – 2.93+/- acres – North Side of Bicentennial Mall, Nashville, TN – Trans. No. 04-06-007 (Bailey)

SC Action: 10-19-09. Jurgen Bailey presented the transaction. Paula Roberts, Executive Director for the Museum for African American Music, Art & Culture, was recognized and gave a status report on the project. She stated that they have hired a project manager, architect, exhibit designer and fundraising consultant and are making substantial progress. She said they have raised \$15 million and expect to break ground in the fall of 2010. Don Hardin, Project Manager, stated that they have recently completed the schematic design phase for the building as well as for the exhibits, and that the firm, Skanska, will be the construction manager. Architect Kem Hinton was recognized who gave a brief presentation of the proposed design of the building.

Comptroller Wilson asked about the status of their private fundraising. Ms. Roberts responded that they had obtained the land and \$500,000 from the State, \$10 million from the City, and had raised approximately \$4.5 million to date. She said their official fundraising campaign was about to start with the consultant on board. Subcommittee then approved the request as presented.

### DEPARTMENT OF FINANCE AND ADMINISTRATION

#### DAVY CROCKETT TOWER, NASHVILLE, TENNESSEE

- 1) Subcommittee deferred for one month a request for approval of a revision in scope and funding from \$8,100,000.00 to \$10,100,000.00 (\$2,000,000.00 increase) for **Interior Renovation** at Davy Crockett

Tower, Nashville, to include combining a recently approved project for *Interior Renovation – Phase 2* (SBC Project No. 529/077-01-2009) into this previously approved project.

Estimated Project Cost:       **\$8,100,000.00**  
SBC Project No.                529/077-01-2008

### CITIZENS PLAZA BUILDING, NASHVILLE, TENNESSEE

- 1) Subcommittee deferred for one month a request for approval of a revision in scope and funding from \$3,500,000.00 to \$9,200,000.00 (\$5,700,000.00 increase) for **Interior Renovation – Phase 2** at Citizens Plaza Building, Nashville, to include combining a recently approved project for *Interior Renovation – Phase 3* (SBC Project No. 529/076-01-2008) into this previously approved project.

Estimated Project Cost:       **\$3,500,000.00**  
SBC Project No.                529/076-01-2006

### WILLIAM R. SNODGRASS TENNESSEE TOWER, NASHVILLE, TENNESSEE

- 1) Mr. Fitts presented a request for approval of a revision in scope of a project for **Tenant Renovations** at the William R. Snodgrass Tennessee Tower in Nashville. He stated that the revised scope was to provide renovations to accommodate the relocation of Edison staff to the Tower before their lease expires on December 31, 2009, and would also include meeting the future needs for the change in Administration, transition spaces and needs for relocation due to the Capitol improvements project. Mr. Fitts reminded the Subcommittee that on October 8, 2009, the Commission had approved proceeding with \$500,000 in order to procure furniture needed for the Edison move, of which less than \$100,000 would be charged to the Direct Order contract.

Mr. Fitts discussed the whole planning effort of the Capitol restoration project and the need to decide what they are going to do as to vacating portions of the Capitol. He said that it will not be 100% defined until the project is developed, but they need to establish a working committee so they can start working together as a team. Treasurer Lillard asked how this affects the Governor's transition. He said it seems like these other projects would be needed in any event, and they could go forward with the Governor's space. He made a motion to approve the revision in scope to include the Governor's transition space needs in the Tennessee Tower with the understanding that they had already approved the scope of the Edison move at the previous SBC meeting. The motion was seconded and passed without objection.

Estimated Project Cost:       **\$2,000,000.00**  
SBC Project No.                529/079-01-2006

### TENNESSEE STATE CAPITOL, NASHVILLE, TENNESSEE

- 1) Subcommittee approved a request to issue an RFP for Construction Manager / General Contractor on a project for **Mechanical & Electrical Upgrade** at the Tennessee State Capitol, Nashville, Tennessee.

Estimated Project Cost: \$16,500,000.00  
Estimated Planning Cost: \$ 2,700,000.00  
SBC Project No. 529/005-01-2005

## STATE BUILDING COMMISSION

### MINUTES OF EXECUTIVE SUBCOMMITTEE MEETING

- 1) Approved the Minutes of the Executive Subcommittee meetings held on September 8 and 21, 2009.

### REPORTING OF CHANGE ORDERS OVER 10%

- 14) **John S. Wilder Youth Development Center**  
(Sprinkler System Repair)
- |                       |                 |   |
|-----------------------|-----------------|---|
| Change Order No.      | 2               | Following more detailed information, the Subcommittee acknowledged Mr. Fitts' explanation of the change order as referred to them, with authority to act. |
| Change Order Amount:  | \$50,753.23     |   |
| Change Order Percent: | 18.01           |   |
| Cumulative Percent    | 27.71           |   |
| SBC Project No.       | 144/011-02-2007 |   |

### DESIGNER SELECTIONS

Approved the following designer selections as referred to the Subcommittee, with authority to act:

- |   |  |
|---|--|
| 1) <b>TN Highway Patrol District 3 Headquarters</b><br>(Building Upgrades)<br>Estimated Project Cost: \$300,000.00<br>SBC Project No. 502/030-01-2009<br>Designer: <b>THE CFP GROUP</b>                                   | 4) <b>TWRA – Region 4</b><br>(Fish Hatchery Facility – Preplan)<br>Estimated Project Cost: \$16,850,000.00<br>SBC Project No. 220/020-05-2009<br>Designer: <b>SHAW &amp; SHANKS / REEDY &amp; SYKES, A JOINT VENTURE</b> |
| 2) <b>Driver License Testing Station – Nashville</b><br>(Driver License Express Renovation)<br>Estimated Project Cost: \$260,000.00<br>SBC Project No. 502/027-01-2007<br>Designer: <b>GILBERT MCLAUGHLIN<br/>CASELLA</b> | 5) <b>Big Ridge State Park</b><br>(ADA Compliance Parkwide)<br>Estimated Project Cost: \$540,000.00<br>SBC Project No. 126/009-01-2007<br>Designer: <b>UPLAND DESIGN GROUP</b>   |
| 3) <b>Lobelville Readiness Center</b><br>(Motor Vehicle Storage Area Expansion)<br>Estimated Project Cost: \$300,000.00<br>SBC Project No. 361/045-01-2009<br>Designer: <b>HART FREELAND ROBERTS</b>                      | 6) <b>Fall Creek Falls State Park</b><br>(Fisherman Cabin Improvements)<br>Estimated Project Cost: \$1,150,000.00<br>SBC Project No. 126/036-01-2008<br>Designer: <b>BENEFIELD RICHTERS</b>                              |

- 7) **Austin Peay State University**  
 (Shasteen Emergency Generator)  
 Estimated Project Cost: \$320,000.00  
 SBC Project No. 166/003-04-2009  
 Designer: **KURZYNSKE & ASSOCIATES**
- 8) **Austin Peay State University**  
 (Trahern Building Roof Replacement)  
 Estimated Project Cost: \$230,000.00  
 SBC Project No. 166/003-05-2009  
 Designer: **RICHARD C. RINKS ASSOC**
- 9) **East Tennessee State University**  
 (Johnson City Downtown Clinic)  
 Estimated Project Cost: \$6,900,000.00  
 SBC Project No. 166/005-09-2009  
 Designer: **KEN ROSS ARCHITECTS**
- 10) **Middle Tennessee State University**  
 (Rutledge Exterior Reconstruction)  
 Estimated Project Cost: \$230,000.00  
 SBC Project No. 166/009-04-2009  
 Designer: **HART FREELAND ROBERTS**
- 11) **University of Memphis**  
 (Jones and Brister Hall HVAC Improvements)  
 Estimated Project Cost: \$350,000.00  
 SBC Project No. 166/007-09-2009  
 Designer: **ALLEN & HOSHALL**
- 12) **Chattanooga State Community College**  
 (Master Plan Update)  
 Estimated Project Cost: \$200,000.00  
 SBC Project No. 166/012-03-2007  
 Designer: **DOBER LIDSKY MATHEY via RFP process**
- 13) **TBI Regional Consolidated Facility – Nashville**  
 (Air Compressor Replacement)  
 Estimated Project Cost: \$270,000.00  
 SBC Project No. 500/001-02-2009  
 Designer: **SMITH SECKMAN REID**