

# MINUTES

## STATE BUILDING COMMISSION MEETING

NOVEMBER 12, 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.

11:05 a.m.	Tourism Development Zone	
11:15 a.m.	Department of Human Services	Assistant Commissioner Andrea Cooper
11:17 a.m.	Department of Health	Assistant Commissioner Eugene Neubert
11:19 a.m.	Tennessee Wildlife Resources Agency	Assistant Director Nat Johnson
11:21 a.m.	Department of Veterans Affairs	
11:22 a.m.	University of Tennessee	Dr. Jan Simek
11:26 a.m.	Tennessee Board of Regents	Vice Chancellor David Gregory
11:35 a.m.	Department of Finance and Administration	
11:37 a.m.	State Building Commission	

### STATE BUILDING COMMISSION MEMBERS PRESENT

Ron Ramsey, Lieutenant Governor  
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

### OTHERS PRESENT

Mike Fitts, State Architect	Mark Cherpack, Department of Finance and Administration
Georgia Martin, State Architect's Office	Bob King, Real Property Administration
Alan Robertson, State Architect's Office	David Holmes, Department of Human Services
Janie Porter, Attorney General's Office	Jerry Barlar, Department of Human Services
Jonathan Rummel, Secretary of State's Office	Tom Fusco, Department of Human Services
Dave Thurman, Legislative Budget Office	Mike Morrow, Department of Finance and Administration
Joy Harris, Treasurer's Office	Alvin Payne, University of Tennessee
Melinda Parton, Comptroller's Office	Gary Rogers, University of Tennessee
Dick Tracy, Tennessee Board of Regents	George Criss, University of Tennessee
Diane Uhler, Tennessee Board of Regents	Dale Williams
John Carr, Finance and Administration	Kim Adkins, The Capitol Strategy Group
Nancy Blevins, Department of Finance and Administration	Mark Studevart, MDHA
Dottie Hagood, Real Property Administration	

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Dwight Hensley, TWRA  
Scott Boelscher, THEC  
Cleve Salmon, Real Property Administration  
John Gromos, Turner  
Peggy Wilson, Department of Health  
Stephanie Burd, Real Property Administration  
Melanie Buchanan, Real Property Administration  
Jim Dixey, Real Property Administration

Lori Ann Worthington, HRF Design, Inc.  
Steve Griffin, HFR Design, Inc.  
Kristen Heggie, MDHA  
Cindy Liddell, Bond Finance  
Dottie Hagood, Real Property Administration  
Tony Poteet, University of Memphis  
Bill Finney, Real Property Administration

Lieutenant Governor Ramsey called the meeting to order at 11:05 a.m. and asked that the item addressing the Metro Tourist Development Zone be brought to the front of the agenda.

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**TOURIST DEVELOPMENT ZONE, NASHVILLE, TENNESSEE**

- 1) Metro Finance Director, Rich Riebeling, was recognized. He distributed a document entitled "Music City Center Tourism Development Zone" dated November 12, 2009. He stated that they were moving towards having a final plan to the Metro Council in early December, and believed it complied with the statute. Secretary Hargett stated that the only action required of the Building Commission was to certify that the TDZ is what it says it is. Commissioner Goetz added that they didn't have any authority over the merits of the TDZ, and that he had certified the site.

Comptroller Wilson stated that the TDZ has been reviewed and certified by Commissioner Goetz, and asked Mr. Riebeling to confirm that it does not include Nashville Electric Service and two car lots. Mr. Riebeling responded that, by going out West End Avenue, several businesses would be eliminated that have nothing to do with the TDZ. Comptroller Wilson further questioned Mr. Riebeling on the following being accomplished: ordinances adopted (yes); application submitted to F&A and Comptroller (yes); minority-owned participation (yes); financing will have to come back to F&A for approval (yes); underwriter is separate, and all disclosed and financing plan distributed to Metro Council and to the public (yes). Satisfied with the responses, Comptroller Wilson stated he believed it met all the requirements.

Treasurer Lillard made a motion to approve the Music City Center Tourism Development Zone as approved by the Commissioner of Finance & Administration. The motion was properly second, and passed without objection.

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

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DEPARTMENT OF HUMAN SERVICES

11:15 a.m.

Assistant Commissioner Andrea Cooper requested action on the following matters.

TENNESSEE REHABILITATION CENTER, SMYRNA, TENNESSEE

1) Approved a request 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**  
*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**  
*SBC Project No.* 442/006-03-2007  
Designer: STREET DIXON RICK ARCHITECTURE

2) Approved 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, Street Dixon Rick / I.C. Thomasson Associates, a joint venture.

Estimated Project Cost: **\$3,141,000.00**  
*SBC Project No.* 442/006-03-2009

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DEPARTMENT OF HEALTH

11:17 a.m.

Assistant Commissioner Eugene Neubert requested action on the following matter.

EAST TENNESSEE REGIONAL HEALTH OFFICE, KNOXVILLE, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **ADA Upgrades** at East Tennessee Regional Health Office, Knoxville, and the selection of Brewer Ingram Fuller Architects to design and supervise the project.

Estimated Project Cost:       **\$155,000.00**  
*SBC Project No.*            408/001-01-2009

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TENNESSEE WILDLIFE RESOURCES AGENCY

11:19 a.m.

Assistant Director Nat Johnson requested action on the following matter.

REGION 4 – MOHAWK, GREENE COUNTY, TENNESSEE

- 1) Approved a request for 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**  
*SBC Project No.*                    *220/020-01-2008*

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DEPARTMENT OF VETERANS AFFAIRS

11:21 a.m.

EAST TENNESSEE STATE VETERANS CEMETERY, KNOXVILLE, TENNESSEE

- 1) Mr. Fitts stated that, due to miscommunication, the Department was not present. Dottie Hagood, Assistant Commissioner of Finance & Administration, was recognized. She stated that the land owned by the State at Lakeshore in Knoxville for expansion of the Veteran's Cemetery had been rejected as an acceptable site by the Federal VA. She said that the City of Knoxville was interested in the State's property and proposed a land exchange for land that the City had optioned. She added that the site appears to be acceptable to the Federal VA, but they would need to conduct NEPA studies, environmental testing, geotechnical and survey work at the new site to obtain Federal VA approval. She said they would need an additional \$325,000 added to the existing preplanning monies to conduct this work.

After discussion the Commission approved a request for 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
<i>SBC Project No.</i>	<i>682/000-03-2006</i>

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UNIVERSITY OF TENNESSEE

11:22 a.m.

Dr. Jan Simek requested action on the following matters.

UNIVERSITY OF TENNESSEE, OAK RIDGE, TENNESSEE

- 1) Approved a request for 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.

Revised Estimated Project Cost:      \$10,400,000.00  
SBC Project No.                      529/094-01-2003

UNIVERSITY OF TENNESSEE INSTITUTE OF AGRICULTURE, GREENEVILLE, TENNESSEE

- 1) Approved a request for 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.

Revised Estimated Project Cost:      \$2,225,000.00  
SBC Project No.                      540/009-11-2007

UNIVERSITY OF TENNESSEE AT KNOXVILLE, TENNESSEE

- 1) Due to the death of the original designer, approved a request to change the designer name to Purser Lee, PLLC, to complete the design services required 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

- 2) Approved a request for 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 that will be demolished in the near future.

Estimated Project Cost:              \$2,300,000.00  
SBC Project No.                      540/009-05-2003

- 3) Approved a request to change the electrical subcontractor from Atlas Electric Company to Shoffner Kalthoff Mechanical Electrical Service on a project for **Electrical and Computer Engineering Building** at the University of Tennessee at Knoxville, Tennessee.

SBC Project No.                      540/009-08-2005

TENNESSEE BOARD OF REGENTS

11:26 a.m.

Vice Chancellor David Gregory requested action on the following matters.

STATEWIDE

- 1) Approved a request to extend the **Energy Savings Performance Contract** with Ameresco Enertech, Inc. for one year, with the stipulation that all Delivery Orders would continue to come back to the SBC Executive Subcommittee for approval.

Estimated Project Cost: \$ 60,000,000.00  
SBC Project No. 166/000-01-2002

- 2) Approved a request to issue a Request for Proposals for **Commissioning Agent** Master Contract Statewide.

SBC Project No. 166/000-05-2009

EAST TENNESSEE STATE UNIVERSITY, JOHNSON CITY, TENNESSEE

- 1) Approved 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.

Revised Estimated Project Cost: \$3,932,000.00  
SBC Project No. 166/005-16-2005

- 2) Approved a project, including commissioning services, and acknowledgment of the source of funding for **Buc Ridge Apartment Complex Phase 4** at East Tennessee State University in Johnson City, Tennessee, and the selection of Beeson Lusk Street / Fisher + Price, a joint venture, to design and supervise the project.

Estimated Project Cost: \$11,000,000.00  
SBC Project No. 166/005-10-2009

MIDDLE TENNESSEE STATE UNIVERSITY, MURFREESBORO, TENNESSEE

- 1) Referred to the Subcommittee, with authority to act, 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.

Estimated Project Cost: \$1,800,000.00  
SBC Project No. 166/009-03-2009

**UNIVERSITY OF MEMPHIS, MEMPHIS, TENNESSEE**

- 1) Approved a request for a revision in funding from \$850,000.00 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.

Estimated Project Cost:	\$55,000,000.00
Revised Estimated Planning Cost:	\$ 1,153,484.00
SBC Project No.	166/007-07-2007

- 2) Approved a request for a 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.

Revised Estimated Project Cost:	\$1,161,000.00
SBC Project No.	166/007-07-2009

- 3) Approved a project and acknowledgment of the source of funding for **Clement Hall Damage Remediation** at the University of Memphis in Memphis, Tennessee.

Estimated Project Cost:	\$590,000.00
SBC Project No.	166/007-10-2009

- 4) Approved a project and acknowledgment of the source of funding for **Mynders and South Hall Exterior Repairs** at the University of Memphis in Memphis, and the selection of Fleming Associates Architects to design and supervise the project.

Estimated Project Cost:	\$850,000.00
SBC Project No.	166/007-11-2009

- 5) Approved a project and acknowledgment of the source of funding for **Richardson Hall Exterior Repairs** at the University of Memphis in Memphis, Tennessee, and the selection of SSR Ellers, Inc. to design and supervise the project.

Estimated Project Cost:	\$750,000.00
SBC Project No.	166/007-12-2009

- 6) Vice Chancellor Gregory presented a request for approval to plan a project and acknowledgment of the source of funding for **Robison Hall Renovation** at the University of Memphis in Memphis, and the selection of a designer to plan the project. Discussion ensued regarding the discrepancy in the estimated project cost that was disclosed in the budget. The Commission referred the matter to the Subcommittee, with authority to act.

Estimated Project Cost: \$4,850,000.00  
Estimated Planning Cost: \$ 200,000.00  
SBC Project No. 166/007-13-2009

- 7) Approved 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  
SBC Project No. 166/007-14-2009

WALTERS STATE COMMUNITY COLLEGE, MORRISTOWN, TENNESSEE

- 1) Approved a request to replace the HVAC subcontractor, United Services, Inc., with Engert Plumbing and Heating Company, Inc., on a project for **Student Services Building and Renovations** at Walters State Community College in Morristown, Tennessee.

Estimated Project Cost \$8,350,000.00  
SBC Project No. 166/023-03-1993

TENNESSEE TECHNOLOGICAL UNIVERSITY, COOKEVILLE, TENNESSEE

- 1) Approved a request to replace the electrical subcontractor, Atlas Electric Company, Inc., with Action Electrical Company, Inc. on a project for **New Residence Halls, Phase 2**, at Tennessee Technological University, Cookeville, Tennessee.

Estimated Project Cost \$27,040,000.00  
SBC Project No. 166/011-04-2007

Discussion of Bids

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

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DEPARTMENT OF FINANCE AND ADMINISTRATION

11:35 a.m.

WILLIAM R. SNODGRASS TENNESSEE TOWER, NASHVILLE, TENNESSEE

- 1) Approved a request for 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.

Revised Estimated Project Cost:      \$75,000.00

SBC Project No.                      529/079-01-2008

STATEWIDE

- 1) The Commission approved Real Property Administration's request to defer action for one month regarding approval to extend the contract for **Management Assistance** not to exceed six months.

SBC Project No.                      529/000-09-2003

DONNELLY J. HILL STATE OFFICE BUILDING, MEMPHIS, TENNESSEE

- 1) The Commission approved Mr. Fitts' request to postpone 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

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**STATE BUILDING COMMISSION**

**MINUTES OF MEETING OF STATE BUILDING COMMISSION**

- 1) Approved 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
- 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
- 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
- 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

- 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
  
- 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
  
- 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
  
- 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
  
- 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
  
- 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

Approval to adjust the base.

- 11) **Tennessee School for the Deaf**  
(Old Gym Update)  
Change Order No. 10  
Change Order Amount: \$173,994.27  
Change Order Percent: 4.76  
Cumulative Percent 13.09  
SBC Project No. 168/007-01-2003
  
- 12) **Volunteer Training Site – Milan**  
(Work Bay Addition)  
Change Order No. 4  
Change Order Amount: \$1,798.25  
Change Order Percent: .31  
Cumulative Percent 10.1  
SBC Project No. 368/031-02-2008
  
- 13) **Volunteer Training Site – Milan**  
(Work Bay Addition)  
Change Order No. 5  
Change Order Amount: \$738.28  
Change Order Percent: .13  
Cumulative Percent 10.22  
SBC Project No. 368/031-02-2008

### DESIGNER SELECTION LIST

Approved the following designer selections as recommended:

- 1) **East TN Regional Health Office, Knoxville**  
(ADA Upgrades)  
Estimated Project Cost: \$155,000.00  
SBC Project No. 408/001-01-2009  
Designer: **BREWER INGRAM FULLER**
  
- 2) **East Tennessee State University**  
(Buc Ridge Apt Complex Phase 4)  
Estimated Project Cost: \$11,000,000.00  
SBC Project No. 166/005-10-2009  
Designer: **BEESON LUSK STREET / FISHER + ASSOCIATES ,  
A JOINT VENTURE**
  
- 3) **University of Memphis**  
(Mynders & South Hall Exterior Repairs)  
Estimated Project Cost: \$850,000.00  
SBC Project No. 166/007-11-2009  
Designer: **FLEMING ASSOCIATES ARCHITECTS**

- 4) **University of Memphis**  
(Richardson Hall Exterior Repairs)  
Estimated Project Cost: \$750,000.00  
SBC Project No. 166/007-12-2009  
Designer: **SSR ELLERS INC**
  
- 5) **University of Memphis**  
(Robison Hall Renovation - Planning)  
Estimated Planning Cost: \$200,000.00  
SBC Project No. 166/007-13-2009  
Designer: **HNEDAK BOBO GROUP**

#### **EXECUTIVE SUB-COMMITTEE REPORT**

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

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There being no further business, the meeting adjourned at 11:40 a.m.

Approved by: \_\_\_\_\_

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