

# AGENDA OF THE UTAH STATE BUILDING BOARD

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Wednesday, July 14, 2004  
House Legislative Building  
Committee Room W130  
Salt Lake City, Utah  
9:00am

- (Action) 1. **Approval of Minutes of June 2, 2004**..... Tab 1
- (Information) 2. **Update on Dispute Resolution Process**..... Tab 2
- (Action) 3. **Capital Development Process** ..... Tab 3
- (Information) 4. **Utah Seismic Safety Commission Presentation** ..... Tab 4
- (Action) 5. **Reallocation of Capital improvement Funds** ..... Tab 5
- (Information) 6. **Update on Energy Conservation Efforts**..... Tab 6
- (Information) 7. **Administrative Reports** ..... Tab 7
- University of Utah
  - Utah State University
- (Information) 8. **Administrative Reports for DFCM** ..... Tab 8
- (Information) 9. **Other** ..... Tab 9
- VBS Schedule

**Notice of Special Accommodation During Public Meetings** - In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Shannon Lofgreen 538-3261 (TDD 538-3260) at least three days prior to the meeting.

*This information and all other Utah State Building Board information  
is available on DFCM web site at <http://buildingboard.utah.gov>*



**Olene S. Walker**  
*Governor*

# Utah State Building Board

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## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Approval of Minutes of June 2, 2004**

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Attached for your review and approval are the meeting minutes of the Utah State Building Board on June 2, 2004.

FKS:sll

Attachment

# Utah State Building Board



## MEETING

June 2, 2004

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### MINUTES

#### Utah State Building Board Members in attendance:

Larry Jardine, Chair  
Kerry Casaday, Vice Chair  
Steven Bankhead  
Manuel Torres  
Katherina Holzhauser  
Richard Ellis (Ex-Officio)

#### DFCM and Guests in attendance:

F. Keith Stepan	Division of Facilities Construction & Management
Kenneth Nye	Division of Facilities Construction & Management
Shannon Lofgreen	Division of Facilities Construction & Management
Kent Beers	Division of Facilities Construction & Management
Blake Court	Division of Facilities Construction & Management
Camille Anthony	Department of Administrative Services
Alan Bachman	Attorney General's Office/DFCM
Rick Stock	Architectural Nexus
Michael Raddon	Spectrum Engineers
Chris Coutts	MHTN Architects
Kyle Taft	MHTN Architects
Erika Oler	VCBO Architecture
Doug Wright	Department of Corrections
Gary Adams	Department of Workforce Services
Raymond Duda	Utah National Guard
Mike Perez	University of Utah
Nancy Lyon	University of Utah
John W. Huish	University of Utah
Jim Harris	Weber State University
Kevin Hansen	Weber State University
Bob Askerlund	Salt Lake Community College
Gordon Storrs	Salt Lake Community College
Greg Stauffer	Southern Utah University

Matt Rich  
Darrell Hart  
Brent Windley  
Ernie Nielsen

Jacobson Construction  
Utah State University  
Utah State University  
Brigham Young University

On Wednesday, June 2, 2004, the Utah State Building Board held a regularly scheduled meeting in room 303 of the Utah State Capitol, Salt Lake City, Utah. Chairman Larry Jardine called the meeting to order at 9:05am. Keith Stepan excused Camille Anthony from the meeting.

**APPROVAL OF MINUTES OF MAY 5, 2004.....**

Chair Jardine sought a motion to approve the minutes.

**MOTION: Manuel Torres moved to accept the meeting minutes of May 5, 2004. The motion was seconded by Steve Bankhead and passed unanimously.**

**CAPITAL DEVELOPMENT PRIORITIZATION PROCESS.....**

Kenneth Nye introduced Ernie Nielsen, Brigham Young University, who had previously presented a model for prioritizing projects. DFCM had since developed a draft model to be used as a guideline to evaluate projects. Mr. Nye asked Mr. Nielsen to provide additional comments on his views regarding the Building Board's position and direction. Mr. Nye would then address specifics of the draft of the proposal.

Mr. Nielsen congratulated those who were involved in developing the draft. He stated the overall purpose of a scoring model is to begin discussions regarding the allocated money being based on a strategic alignment with state objectives as understood by the Board. The first column of the model highlighted strategic objectives which should be a good statement of the Board's desire for accomplishment. The second column highlighted the evaluation criteria to personalize those objectives. The third column focused on the scoring anchors to aid the Board in determining how strongly the project meets their objectives. Substantial discussion should take place when discussing these anchors. Mr. Nielsen suggested the Board provide a definition between substantial and moderate improvement to provide consistency. The Board also needed to complete a weighting system to determine the more substantial strategy.

Mr. Nielsen was impressed by the first draft, but felt it would need to be matured throughout the process and the model would create some flexibility. The model is built to anchor the dialogue around similar strategic objectives to allow for resolution of disparity. He also noted there would be trumps.

Keith Stepan stated this model would provide the Board the potential of extreme credibility. Kenneth Nye stated several comments have been expressed by various individuals struggling to understand the Board's priority decisions. He contemplated the model would aid the Board in explaining its priority process and anticipated the Board would not wish to score each individual project on different criteria and develop their scores independently. He considered requesting the information from agencies and institutions be submitted and tailored around these objectives. They may wish to submit their own scoring and justification for the score. Staff input would also be provided to the Board.

The source of the objectives has been laid out internally within DFCM. Mr. Nye wished to explain the logic behind some of the objectives and the scoring matrix. The key emphasis of the strategic objective of providing facilities necessary to support critical state programs and initiatives is not to say what level of support is there for a specific project. It is asking for the critical programs and initiatives that have received emphasis through different levels of state government and if the project supports those initiatives.

Steve Bankhead stated some issues concerned him regarding the scoring anchors and the evaluation criteria in objective number one. Based on the scoring anchors, he felt projects would need to be politically supported to receive high scores. There are projects that are critical state programs that do not have a constituency. He desired to have the scoring anchors adjusted to allow critical programs and needs without constituency to receive a fair value evaluation.

Mr. Bankhead could not foresee a way to weight the scoring anchors in a way where they would be seriously considered. He feared the smaller needs would not be focused on by a substantial portion of the Legislature. Mr. Nielsen stated it was a very valid concern and the scoring anchors should focus precisely on a specific objective of the organization. Meeting the requirements will be apparent in objective one. He suggested looking at the aggregate to determine if it would address the concerns.

Kenneth Nye noted similar concerns were addressed when looking at how to score the objectives. He explained the scoring matrix of the scoring anchors and how they would be influenced by the Governor and Legislature.

The second objective was initially sought as two separate concepts to address life safety and other deficiencies in existing buildings desiring renewal or replacement. Condition assessments are addressed to identify deficiencies. The scoring anchors include those projects with a documented cost of deficiencies exceeding 60% of the total request; documented cost of deficiencies between 30% and 45%; and documented cost of deficiencies less than 15%. These percentages would need to be assessed to determine if they were appropriate benchmarks and encompassed the total project request. There were

also arrows indicating that the points could be adjusted based on a potential increase or decrease in points. This is due to some projects posing a substantial threat to life and property requiring additional consideration through weighting of the bonus points.

The third objective deals with growth and DFCM's attempt to deal with documented growth as opposed to hoped for growth. If a program has currently outgrown its existing space, it is a clear indication that additional space is warranted. The need for additional space must be warranted through demographic information on population growth, enrollment projections accepted by the Board of Regents, or similar items. DFCM anticipated that each of the agencies and institutions would include the demographics and support in their request. The scoring anchors identified a score of five to allow project scope to match demographics for existing demand, plus a reasonable allowance for future growth for the essential program. A score of three would be for the project scope matching demographics for existing demand and growth for the essential program while also incorporating other needs. A score of one would be for the project scope exceeding the level justified by demographics or where no demographics are provided.

The fourth objective deals with cost effective solutions. DFCM hoped to keep the requests cost effective and appropriate to the facility. He recognized there are some projects that warrant a higher level of expenditure per square foot. This objective also included opportunities for a bargain. This was addressed in the scoring anchors by providing a bonus point if a bargain opportunity requiring immediate action was provided. This would not include alternative funding. DFCM anticipated most projects would score a three in the scoring anchors. A score of five would be given for an alternative approach that is substantially less costly to the State in the long term than a standard approach. A score of three would be awarded for a project that is a cost effective solution appropriate to the facility. A score of one would be provided if it is more costly than is appropriate for the facility need.

Objective five deals with improving program effectiveness and/or capacity. This was initially focusing on taking advantage of opportunities for advancing in technology, but then determined it would not be beneficial to limit projects requesting technology for the sake of receiving points. The evaluation criteria assesses if the project makes use of technology or innovative methods to improve the delivery of services. The scoring anchors included substantial improvement in program effectiveness for a score of four and moderate improvement in program effectiveness for a score of two. These may need to be defined more tightly. Potential for bonus points or decreases were also provided, but will require further discussion.

The sixth objective is to take advantage of alternative funding opportunities for needed facilities. Mr. Nye suggested that if there is a perception that the request is not critical without the alternative funding source, it will lose a point. The scoring anchors indicated

that five points would be awarded if more than 60% of the funding came from alternative sources. Three points would be awarded for 20% to 40% of alternative funding being provided. One point would be awarded if no alternative funding was provided. The Board discussed modifying this objective to address alternative funding sources other than donations, that have time frames to them and potentially granting them a bonus point for timing constraints on non-donation alternative funding sources. This would eliminate the bonus point identified in the draft for this objective.

Ernie Nielsen felt the fifth objective implied effectiveness is the strategic objective for improvement in capacity. He proposed including an increase in effectiveness and capacity for the rating of five in attempt to remove the substantial and moderate out of the explicit conversation. Kenneth Nye proposed leaving it just as capacity, but clarifying it encompassed more than increased space. Mr. Nielsen suggested rewording the scoring anchors for the scoring of three to include an increase in effectiveness, but not necessarily capacity. Number two would be an increase in capacity only and number one would be no increase. The bonus rating would remain as a weight. This would make the anchors slightly more binary.

Chair Jardine stated the Board desired more time to review the concept; however he wished to get the information out to the agencies and institutions immediately to allow them to prepare their requests.

Mr. Nielsen stated it would be beneficial for a few key players from DFCM and the Building Board to meet to discuss a few projects to determine how they fared with this evaluation guide. This would also provide a period of time to assess this situation.

Steve Bankhead expressed desire to be involved in this process. The weighting is going to make a significant difference. On strategic objective one, the scoring anchors and the evaluation criteria make this a measure of political acceptance of the project. Strategic objective six measures how much money outside of the normal procedure could be obtained. Those two things are going to lend themselves for popular projects. What makes a program critical for state programs and initiatives is further clarified. He would like to see two through five weighed more heavily to help the Board make their determination.

Keith Stepan stated one of the essential points of strategic objective number one is to get to the point where there is a bridge between the Building Board and the legislative process. The Building Board's list should develop a valid list that has credibility with the legislature.

Katherina Holzhauser discussed weights based on projects discussed last year. These weights could change yearly. Ernie Nielsen felt the various projects would need to be discussed differently.

Keith Stepan suggested allowing the Board to review the material for two weeks. In that period, DFCM could run some test scores and determine possibilities on some projects with their proposed ratings.

Steve Bankhead proposed adding a bonus point on strategic objective one and eliminating the one point for the lower level official. The bonus point would be for constituencies that are not well represented so that there would be a way for the Board to pay attention to programs that aren't going to receive wide press and a big public movement in their support.

Darrell Hart asked how the Board of Regents Q&P process would fit into the scoring anchors for strategic objective number one. Kenneth Nye stated the objective did not address a specific project need, but more the broad objective by identifying the broad initiatives and programs the State wishes to pursue and how the project is meeting those needs as opposed to how well the project is supported. The Q&P is not directly addressed in this formula although Regents' initiatives would fall within the category of a statewide governing board.

Steve Bankhead suggested deleting scoring anchor one of the lower level official and replacing it with a bonus point for programs addressing critical needs of the state that may not receive broad support and may not have widespread constituencies. Katherina Holzhauser asked if the scoring anchors could include the word "program" instead of project.

Chair Jardine asked if capacity could be increased without increasing square footage and clarified that capacity does not mean square footage alone. Kenneth Nye suggested the Board look at capacity as an increase in the volume of programs delivered in the amount of space that is already there.

Kenneth Nye questioned if DFCM should prepare scoring based on the suggested weights or scoring without the weights. Katherina Holzhauser reiterated that the scoring for strategic objectives one through six would be .5, 1.5, 1.5, 1.5, 1, and 1.5 respectively. The Board agreed to this tentative weighting for the purpose of developing test scores on sample projects.

Chair Jardine suggested the Board digest this information over the next few weeks and in the meantime DFCM will work on scoring based on the criteria discussed. This information will be distributed to the agencies and institutions to help them begin developing their requests.

Chair Jardine sought conceptual approval of the capital development request evaluation guide.

**MOTION: Steve Bankhead moved that the Board adopt the capital development evaluation guide as discussed and modified for conceptual use by state agencies to use in presenting their building requests before the Board. The motion was seconded by Kerry Casaday.**

Katherina Holzhauser and Kenneth Nye sought comments from the audience regarding feedback on the discussions.

Kenneth Nye expressed appreciation to Ernie Nielsen for his donated assistance provided to the Board and to Katherina Holzhauser for her input.

Kenneth Nye stated in regards to DFCM's effort in providing the Board with some sample scoring, it will be accomplished without the benefit of the agencies and institutions presenting their proposals. If they had the opportunity to develop the scoring after they had developed their own demographics and done their effort to meet these objectives, it may be a different scoring. It will not be definitive for the whole process.

Steve Bankhead suggested taking projects five through twelve to determine scoring results.

**☐ DFCM CLAIM RESOLUTION PROCESS .....**

Keith Stepan stated this was the response to the legislative assignment to DFCM to produce rules for claims resolution.

Kenneth Nye has been working with the committees and would be meeting with the advisory group later that afternoon. The packet included the objectives agreed upon to identify their desired accomplishments with the process and guides for the advisory panel. DFCM encouraged a fair and timely settlement on claims on disputes and also wished to encourage resolution of issues on an informal basis before formal claims develop. DFCM sought to keep the process simple and minimize the cost of pursuing resolution of claims, as well as maintaining contractual relationships and responsibilities. It was assumed this would be the most controversial portion of the discussion as it dealt with granting access by subcontractors to submit a claim directly to the State. DFCM also discouraged frivolous or excessive claims. The committee determined that legitimate use of a claims resolution process will not be viewed negatively in the selection process. Appropriate effort to resolve disputes will be viewed positively. Failure to pursue or facilitate resolution may be viewed negatively.

Mr. Nye distributed the framework for the overall dispute resolution process, which the advisory panel will spend a majority of their time and address their discussions on a conceptual basis. One of the major changes proposed is to require a preliminary resolution effort for items submitted in the formal claims process. DFCM had previously developed a

concept in the construction contracts called a request for equitable adjustment, which is an optional process under the current contracts. DFCM suggested making this a mandatory process in effort to resolve issues on an informal basis before they become a claim. This process is a formalization of the normal process on current construction projects. The details will vary for different processes, but essentially there will be time frame and documentation requirements, and flexibility provided for additional information. DFCM wished to retain all of the options that the Legislature provided the Board regarding the process for evaluating the claim.

DFCM desired to keep the process informal and the committee also provided determination of documentation and timeframes. The committee made some basic suggestions on allocating cost for the dispute resolution process. One of the key issues with the passed legislation was that DFCM indicated they would not have an increase in costs based on the assumption they would be able to allocate the costs among the parties as it was appropriate. Essentially the cost of resolving a dispute would be allocated on the same basis as the responsibility for the claim issue. DFCM would also provide a protocol for resolving a specific dispute as agreed upon by all parties.

Steve Bankhead speculated the possibility of having a level of dispute resolution where a subcontractor could simply inform the DFCM Project Manager of the situation and then coordinate a meeting with the superintendent/general contractor to attempt to resolve the issues. He felt that holding discussions with all parties involved, the issues would be resolved more easily. Alan Bachman stated the proposed framework did not address the subcontractor issues and should be discussed in the future.

Kenneth Nye added this was one of their biggest challenges in attempting to balance the legitimate needs of addressing subcontractor issues from DFCM with the occasional impact that could have on DFCM of becoming the general contractor by default. This would be a difficult balance.

The advisory panel would be meeting later that afternoon and their next meeting would be held June 23. Reports of these meetings will be presented to the Building Board at the July meeting. At the August meeting, the Board would need to grant conceptual approval on an administrative rule for presentation to the Legislative Interim Committee.

**☐ WEBER STATE UNIVERSITY PLANNING EFFORTS.....**

Blake Court stated for the last several months, Weber State University has been working on master planning issues and focusing on the Student Union Building. This is an auxiliary building funded by student fees. The building is 40 years old and has had no major renovations. Weber State wished to possibly renovating the building. After several months of discussing options and masterplanning, a final option was presented to the students in

their election process, which they approved funding to proceed. Over the next few years, programming, design, and construction will be completed, with programming beginning this year. Weber State will seek approval from the Legislature next year for a non-state funded project, and design will be done next spring, with construction will begin in the spring of 2006. The project will take approximately two and a half years due to the phasing.

Another master planning effort pertains to the bell tower in the quad and library buildings three and four. The bell tower is an icon on the campus, but because of the surrounding facilities it is not accommodating to students. Weber State is ready to start phase one of the master planning, which includes part of the bell tower area and the entrance to the library, which has had some problems over the last few years.

Kevin Hansen, Weber State University, stated their central focus of this effort began with the Union building. The initial phase of the Union building was built in 1962 and the second phase was built in 1969, with no substantive improvements or adjustments. The building was originally designed for 4000 students and is now servicing 18,000 students. The infrastructure has worn out and the building has served its purposes very well, but has become under utilized in some areas and overused in some areas. There are some opportunities now for WSU to take care of new technologies and a new approach to help the building accommodate the 20,000 plus students that will participate on the Ogden campus for the foreseeable future.

WSU hired MHTN Architects to provide a conceptual analysis of the building to use as the basis for the students. WSU evaluated the entire building of four floors in the two separate sections and found there were several opportunities to reutilize and reconfigure space and to capture some outdoor space. There is a big, central breezeway on the first floor with an overhead deck which could be captured relatively inexpensively and made into a major library to allow students to congregate and lounge. They could also provide consolidated food services, a bookstore, and other activities on the high traffic level. The bookstore would also be extended to the second level. The third floor would house a substantial ball room and would be used for administrative services, student services, and the student government functions.

WSU would capture about 12,000sf of additional space for a new entrance way, capturing the tunnel area and making it usable space for the students to utilize. Mr. Hansen showed the area of where the entrance way would be encompassed.

WSU desired to start the programming process to develop something more refined. He felt they had a good conceptual development and a good idea of how to best utilize the space to make it appropriate for their needs. He wished for the Board's concurrence to proceed in this direction.

Coincident to the Union building is the central core of the campus, with the bell tower being the iconic symbol for Weber State University. The area is currently a big area of concrete that creates climatic problems. They desire to create a place where students will gather and have a learning educational experience. WSU would like to create a green space in this area with a water feature and will be integrated with the design of the Union building. There will be a link between the interior and the exterior. WSU also proposed to amend an area between the library and the Union building. One of their concerns is that the library building has a very difficult entrance to locate and structural problems exist on the deck along the library. WSU would like to fix a long time leak permanently and propose redoing the landscaping, change the entrance to the library, fixing the structural problems and capturing some existing library space. A tunnel would be built under the library since it is in two sections. This would improve the circulation between these two major facilities for the students and fix the structural problems.

Weber State proposed completing this in four phases with the first phase addressing the high traffic areas surrounding the library. They would make the entrance to Lampros Hall more visually distinctive and capture the space between the two phases of the library building, placing the entrance of the library at the lower level. This would make the area easier to circulate and congregate.

In phase two, they would capture the main area of the bell tower plaza by elevating it and putting in a new access for handicap and greenery. This would be covered predominantly through University funds and capital improvement funding if approved next year.

Phases three and four are coincident with the capital development projects. Eventually they would propose to replace buildings one and two, the two oldest buildings on the campus, and replace them with a new classroom structure. They would eventually replace buildings three and four with a new classroom structure and finish out the plaza development in conjunction with those projects. This would be about a fifteen year plan with the first phase beginning next year.

Keith Stepan stated DFCM has toured the WSU campus and they think that the plans are very feasible and well thought out and they give their support as a staff.

**REALLOCATION OF CAPITAL IMPROVEMENT FUNDS AT DEPARTMENT OF CORRECTIONS .....**

Kent Beers stated DFCM recommended the Board reallocate \$512,000 in FY2005 capital improvement funds from the Department of Corrections Uinta Five HVAC and electrical upgrade project to three other projects namely \$110,000 to the Draper Prison Sewer Grinder project, which is currently pending; \$363,000 to the Draper Prison Oquirrh/Uinta Control Room project; and \$39,000 to the Oxbow Jail Renovation.

The Uinta Five HVAC and electrical upgrade is a high priority need at the Draper prison. DFCM recommended the project for funding at the May Building Board meeting. At the same time, however, DFCM also authorized Johnson Controls to analyze the project for possible ESCO (Energy Service Company) funding. Johnson Controls recently completed their energy saving audit for phase II of the Draper prison ESCO project and recommended the Uinta Five HVAC and electrical for funding.

Because of the importance of this project, DFCM did not want to take a chance of it not being funded. Consequently, DFCM felt it appropriate to pursue both avenues of funding concurrently. The Board should note that one of the benefits of an ESCO is the ability to provide funding for projects that could otherwise only be funded with Capital Improvement funds. Mr. Beers stated this is one benefit of the ESCO program and the \$500,000 can be moved to other projects at Corrections.

Phase one of the Corrections ESCO project was \$6.5 million, which is now completed. Phase two is in the process of preparing the contract for financing and it will be another \$5 million. Within the next two weeks, DFCM will be soliciting finance proposals for UVSC's ESCO project, which will be about \$8.3 million. The Ogden Regional Center will be \$500,000. In total, DFCM will have brought to the table an additional \$20 million to do projects that would have been otherwise funded through capital improvement project dollars. \$100,000 was included in the budget for capital improvements this year to allow DFCM to hire a project manager for the ESCO projects.

Steve Bankhead withdrew from voting for this reallocation because he performed the initial design and estimate for the Oquirrh control room project and possibly submitted a bid.

**MOTION: Manuel Torres moved to accept the reallocation of capital improvement funds. The motion was seconded by Kerry Casaday and passed with Mr. Bankhead abstaining.**

Kent Beers explained the objective of doing the pilot programs was to demonstrate the benefit to the Legislature in hopes they would issue additional monies each year for the funding and financing of these ESCO projects as part of their general obligation bond. Until that occurs, they do have the private sector and great interest rates.

**☐ ADMINISTRATIVE REPORTS FOR UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY .....**

John Huish, University of Utah, provided a summary of the administrative report for April 17 to May 14, 2004. Seven architect/engineering agreements were awarded for this period. There were two new remodeling contracts and two site improvement contracts awarded

and three projects were completed in the statewide accounts. Four projects were completed in the capital improvements account.

**MOTION: Manuel Torres moved to accept the administrative report of the University of Utah. The motion was seconded by Steve Bankhead and passed unanimously.**

Brent Windley, Utah State University, provided the administrative report for April 14 to May 12, 2004. There were four new professional contracts awarded and six new construction contracts were awarded. He added that a decision was made on the architect for the Learning Center and it is well underway in the design process.

Manuel Torres questioned why the HPER upgrade was \$40,719 above the estimate. Mr. Windley stated it was due to steel prices.

**MOTION: Steve Bankhead moved to accept the administrative report for Utah State University. The motion was seconded by Katherina Holzhauser and passed unanimously.**

**☐ ADMINISTRATIVE REPORTS FOR DFCM.....**

Keith Stepan stated there were ten architectural/engineering agreements awarded for the period. There were 22 new construction contracts awarded. The summary of the administrative report reported these amounts incorrectly.

DFCM has six new leasing projects. The contingency reserve fund has \$6.3 million, which will take it through the next year and will be the monies that will help fund DFCM as they were not funded for the third year in a row. The reserve fund is also high and, with steel prices increasing, it has cost an increase in the reserve fund.

An additional handout was provided pertaining contract status. Approximately one year ago there were over 400 projects still open and DFCM has made a real focus to close projects. They now have only 137 projects open and they are continuing to close and resolve their situations.

Kenneth Nye commented that this report was discontinued temporarily due to technical difficulties, but will be continued in the future.

**☐ OTHER.....**

Larry Jardine will participate in the short list of the University of Utah Sutton Geology and Geophysics Building Programming. Manuel Torres will participate in the selection committee.

**□ ADJOURNMENT.....**

The next meeting will be held on Wednesday, July 14, 2004.

**MOTION: Manuel Torres moved to change the next meeting to July 14, 2004. The motion was seconded by Steve Bankhead and passed unanimously.**

The meeting adjourned at 11:07am.



**Olene S. Walker**  
Governor

# Utah State Building Board

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## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Update on Dispute Resolution Process**

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Subsequent to the last board meeting, DFCM has met twice with the Dispute Resolution Advisory Committee. This has resulted in the attached draft rule. One additional meeting is scheduled with the Advisory Committee on July 21. The Building Board will then be asked to do a final review of the draft rule and provide a preliminary approval at the August 4 board meeting. As required by the legislation, the draft rule will then be presented to the Government Operations Interim Committee for its review and comment on August 18. Following these reviews, it is anticipated that the rule will be presented to the Building Board on September 10 for final approval.

The intent of this discussion at the July board meeting is to provide for participation of the full Board in the development of this process and rule before it is brought to the Board for preliminary approval in August. DFCM has very much appreciated the contributions of Larry Jardine and Steve Bankhead who are members of the Advisory Committee.

DFCM has attempted to address concerns raised by various parties in arriving at the attached draft. It is likely that a number of additional changes will be made to this draft in arriving at a rule that achieves an appropriate balance between the interests of the different parties affected by the rule.

Proposed amendments to Rule R23-4, Suspension/Debarment and Contract Performance Review Committee follow the draft Dispute Resolution Rule (R23-26). This rule will need to be amended as a result of this legislation.

FKS:KEN:sll

Attachment

## **DRAFT (7-1-04)**

### **R23-26 Dispute Resolution**

#### **R23-26-1 Purpose and Scope**

(1) The purpose of this rule is to establish a process for resolving disputes involved with contracts under the Division's procurement authority. The objectives of the procedure are to:

- (a) assure the payment of the appropriate and fair amount on a timely basis for work or services performed;
- (b) encourage the resolution of issues on an informal basis in order to minimize Disputes and Claims;
- (c) encourage fair and timely settlement of Claims;
- (d) require a process that is as simple as possible and minimizes the costs to all parties in achieving a resolution;
- (e) maintain effective contractual relationships and responsibilities;
- (f) when possible, resolve related issues and responsibilities as a package;
- (g) discourage bad faith, frivolous or excessive Claims;
- (h) avoid having Claims interfere with the progress of the work;
- (i) assure that the presentation of good faith and non-frivolous issues and Claims do not affect selection processes for future work, while bad faith and frivolous issues, as well as the failure of a Contractor or Subcontractor to facilitate resolution of issues, may be considered in the evaluation of the Contractor or Subcontractor; and
- (j) provide a process where Subcontractors at any tier, which have a Claim that involves a good faith issue related to the responsibility of the Division or anyone for whom the Division is liable, has the ability to present the matter for resolution in a fair and timely manner to those of any higher tier and ultimately to the Division without creating any contractual relationship between the Division and the Subcontractor at any tier.

(2) This rule does not apply to any protest under Section 63-56-45.

(3) A Claim under this rule that does not include a monetary claim against the Division or its agents is not limited to the dispute resolution process provided for in this rule.

(4) Persons pursuing Claims under the process required by this rule:

(a) are bound by the decision reached under the process unless the decision is properly appealed; and

(b) may not pursue a Claim under the dispute resolution process established in Sections 63-56-49 through 63-56-58.

(5) This rule does not apply to tort or other claims subject to the provisions of the Utah Governmental Immunity Act.

(6) This rule shall not limit the right of the Division to have any of its issues, disputes or claims considered in accordance with the applicable contract or law.

#### **R23-26-2. Authority.**

(1) The rule is authorized pursuant to Subsection 63a-5-208(6) and under the authority of the Utah State Building Board, Section 63A-5-101 and the Department of Administrative Services, Division of Facilities Construction and Management, Section 63A-5-201 et seq.

**R23-26-3. Definitions.** For purposes of this rule:

- (1) "Claim" means a dispute, demand, assertion or other matter submitted by a Contractor that has a contract under the procurement authority of the Division, including Subcontractors as provided for in this rule. The claimant may seek, as a matter of right, modification, adjustment or interpretation of contract terms, payment of money, extension of time or other relief with respect to the terms of the contract. A request for Preliminary Resolution Effort (PRE) shall not be considered a "Claim." A requested amendment, requested change order, or a Construction Change Directive (CCD) are not a PRE or Claim unless agreement cannot be reached and the procedures of this rule are followed.
- (2) "Contractor" means a person or entity under direct contract with the Division and under the Division's procurement authority.
- (3) "DFCM representative" means the Division person directly assigned to work with the Contractor on a regular basis.
- (4) "Director" means the director of the Division, including unless otherwise stated, his/her duly authorized designee.
- (5) "Division" means the Division of Facilities Construction and Management established pursuant to Section 63A-5-201 et seq. It may also be referred in this rule as "DFCM."
- (6) "Executive Director" means the Executive Director of the Department of Administrative Services, including unless otherwise stated, his/her duly authorized designee.
- (8) "Preliminary Resolution Effort" or "PRE" means the processing of a Request for Preliminary Resolution or any similar notice to the DFCM representative about a problem that could potentially lead to a Claim and is prior to reaching the status of a Claim.
- (9) "Resolution of the claim" means the final resolution of the claim by the Director, but does not include any administrative appeal, judicial review or judicial appeal thereafter.
- (10) "Subcontractor" means any subcontractor or subconsultant at any tier under the Contractor, including any trade contractor, specialty contractor or consultant but does not include suppliers who provide only materials, equipment or supplies to a contractor, subcontractor or subconsultant. "Subcontractor" does not include any person or entity, at any tier, under contract with a Lessor.

**R23-26-4. Procedure for Preliminary Resolution Efforts.**

- (1) **Request for Preliminary Resolution Effort (PRE).** A Contractor raising an issue related to a breach of contract or an issue concerning time or money shall file a PRE as a prerequisite for any consideration of the issue by the Division.
- (2) **Time for Filing.** The PRE must be filed in writing with the DFCM representative within twenty-one (21) days after an event as defined in the applicable contract for initiating a PRE. The labeling of the notice shall not preclude the consideration of the issue by the Division. A shorter notice provision may be designated in the contract where damages can be mitigated such as delays or concealed or unknown conditions, the discovery of hazardous materials, emergency conditions, or historical or archeological discoveries.

(3) **Content Requirement.** The PRE shall be required to include in writing to the extent information is reasonably available at the time of such filing:

- (a) a description of the issue;
- (b) the potential impact on cost and time or other breach of contract; and
- (c) an indication of the relief sought.

(4) **Supplementation.** Additional detail of the content requirement above shall be provided later if the detail is not yet available at the initial filing as follows:

- (a) While the issue is continuing or the impact is being determined, the Contractor shall provide a written updated status report every 30 days or as otherwise reasonably requested by the DFCM Representative; and
- (b) After the scope of work or other factors addressing the issue are completed, the complete information, including any impacts on time, cost or other relief requested, must be provided to the DFCM Representative within twenty-one (21) days of such completion.

(5) **Subcontractors.** Under no circumstances shall any provision of this rule be intended or construed to create any contractual relationship between the Division and any Subcontractor. In order for a Subcontractor at any tier to be involved with the preliminary resolution process of the Division, the following conditions and process shall apply:

- (a) The Subcontractor must have pursued all reasonable efforts with the Contractor to resolve the issue including the submission of a PRE with the Contractor;
- (b) The Subcontractor must file a copy of the PRE with the DFCM Representative;
- (c) The PRE to the Contractor must meet the time, content and supplementation requirements of Section R23-26-4;
- (d) The PRE submitted to the Contractor shall only be eligible for consideration in the Division's PRE process to the extent the issue is reasonably related to the performance of the Division or an entity for which the Division is liable;
- (e) The Contractor shall resolve the PRE to the satisfaction of the Subcontractor within sixty (60) days of its submittal to the Contractor or such other time period as subsequently agreed to by the Subcontractor in writing. If the Contractor fails to resolve the PRE with the Subcontractor within such required time period, the Subcontractor may submit in writing the PRE with the Contractor and the Division. In order to be eligible for Division consideration of the PRE, the Subcontractor must submit the PRE within twenty-one (21) days of the expiration of the time period for the Contractor/Subcontractor PRE process. The Division shall consider the PRE as being submitted by the Contractor on behalf of the Subcontractor.
- (f) Upon such PRE being submitted, the Contractor shall cooperate with the DFCM Representative in reviewing the issue.
- (g) The Division shall not be obligated to consider any submission which is not in accordance with this rule.
- (h) The Subcontractor may accompany the Contractor in participating with the Division regarding the PRE raised by the Subcontractor. The Division is not precluded from meeting with the Contractor separately and it shall be the responsibility of the Contractor to keep the Subcontractor informed of any such meetings.

(i) Notwithstanding any provision of this rule, a Subcontractor shall be entitled to pursue a payment bond claim.

(6) **PRE Resolution Procedure.** The DFCM Representative may request additional information and may meet with the parties involved with the issue.

(7) **Contractor Required to Continue Performance.** Pending the final resolution of the issue, unless otherwise agreed upon in writing by the DFCM Representative, the Contractor shall proceed diligently with performance of the contract and the Division shall continue to make payments in accordance with the contract.

(8) **Decision.** The Division shall issue to the Contractor, and any other party brought into the process by the DFCM Representative as being liable to the Division, a written decision providing the basis for the decision on the issues presented by all of the parties within thirty (30) days of receipt of all the information required under Subsection R23-26-4 (5)(b) above.

(9) **Decision Final Unless Claim Submitted.** The decision by the Division shall be final, and not subject to any further administrative or judicial review (not including judicial enforcement) unless a Claim is submitted in accordance with this rule.

(10) **Extension Requires Mutual Agreement.** Any time period specified in this rule may be extended by mutual agreement of the Contractor and the Division.

(11) **If Decision Not Issued.** If the decision is not issued within the thirty (30) day period, including any agreed to extensions, the issue may be pursued as a Claim.

(12) **Payment for Performance.** Except as provided in this rule, any final decision where the Division is to pay additional monies to the Contractor, shall not be delayed by any PRE, Claim or appeal by another party. Payment to the Contractor of any final decision shall be made by the Division in accordance with the contract for the completed work. Notwithstanding any other provision of this rule, payment to the Contractor shall be subject to any set-off, claims or counterclaims of the Division. Payment to the Contractor for a Subcontractor issue submitted by the Contractor shall be paid by the Contractor to the Subcontractor in accordance with the contract between the Contractor and the Subcontractor. Any payment or performance determined owing by the Contractor to the Division shall be made in accordance with the contract.

#### **R23-26-5. Resolution of Claim.**

(1) **Claim.** If the decision on the PRE is not issued within the required timeframe or if the Contractor is not willing to accept the decision, the Contractor or other party brought into the process by the Division, may submit a Claim in accordance with this rule as a prerequisite for any further consideration by the Division or the right to any judicial review of the issue giving rise to the claim.

(2) **Subcontractors.** In order for a Subcontractor to have its issue considered in the Claim process by the Division, the Subcontractor that had its issue considered under Section 23-26-4(6) may submit the issue as a Claim by filing it with the Contractor and the Division within the same timeframe and with the same content requirements as required of a Claim submitted by the Contractor under this rule. The Division shall consider the Claim as being submitted by the Contractor on behalf of the Subcontractor. Under no circumstances shall any provision of this rule be intended or construed so as to create any contractual relationship between the Division and any Subcontractor.

(a) Upon such Claim being submitted, the Contractor shall fully cooperate with the Director, the person(s) evaluating the claim and any subsequent reviewing authority.

(b) The Director shall not be obligated to consider any submission which is not in accordance with this rule.

(c) The Subcontractor may accompany the Contractor in participating with the Director, the person(s) evaluating the Claim and any subsequent reviewing authority regarding the Claim. The Director, the person(s) evaluating the Claim and any subsequent reviewing authority is not precluded from meeting with the Contractor separately, and it shall be the responsibility of the Contractor to keep the Subcontractor informed of any such meetings and matters discussed.

(d) Notwithstanding any provision of this rule, a Subcontractor shall be entitled to pursue a payment bond claim.

(3) **Time for Filing.** The Claim must be filed in writing promptly with the Director, but in no case more than twenty-one(21) days after the decision is issued on the PRE under Subsection 23-26-4(9) above or no more than twenty-one (21) days after the decision is not issued under Subsection 23-26-4(12) above, whichever is later.

(4) **Content Requirement.** The written Claim shall include:

(a) a description of the issues in dispute;

(b) the basis for the Claim, including documentation and analysis required by the contract and applicable law and rules that allow for the proper determination of the Claim;

(c) a detailed cost estimate for any amount sought, including copies of any related invoices; and

(d) a specific identification of the relief sought.

(5) **Extension of Time to Submit Documentation.** The time period for submitting documentation and any analysis to support a Claim may be extended by the Director upon written request of the claimant showing just cause for such extension, which request must be included in the initial Claim submittal.

(6) **Contractor Required to Continue Performance.** Pending the final determination of the Claim, including any judicial review or appeal process, and unless otherwise agreed upon in writing by the Director, the Contractor shall proceed diligently with performance of the Contract and the Division shall continue to make payments in accordance with the contract.

(7) **Agreement of Claimant on Method and Person(s) Evaluating the Claim.** The Director shall first attempt to reach agreement with the claimant on the method and person(s) to evaluate the Claim. If such agreement cannot be made within fourteen (14) of filing of the Claim, the Director shall select the method and person(s), considering the purpose of this rule as stated in Section R23-26-1. Unless agreed to by the Director and the claimant, any selected person shall not have a conflict of interest or appearance of impropriety. Any party and the person(s) evaluating the Claim has a duty to promptly raise any circumstances regarding a conflict of interest or appearance of impropriety. If such a reasonable objection is raised, and unless otherwise agreed to by the Director and the claimant, the Director shall take appropriate action to eliminate the conflict of interest or appearance of impropriety. The dispute resolution methods and person(s) may include any of the following:

- (a) A single expert and/or hearing officer qualified in the field that is the subject of the Claim;
- (b) An expert panel, consisting of members that are qualified in a field that is the subject of the Claim;
- (c) An arbitration process which may be binding if agreed to by the parties to the Claim;
- (d) A mediator; or
- (e) Any other method that best accomplishes the purpose of Section R23-26-1.

**(8) Evaluation Process.**

(a) **No Formal Rules of Evidence.** There shall be no formal rules of evidence but the person(s) evaluating the Claim shall consider the relevancy, weight and credibility of the evidence.

(b) **Questions.** Parties and the person(s) evaluating the Claim have the right to ask questions of each other.

(c) **Investigation and Documents.** The person(s) evaluating the Claim has the right to investigate and request documents, consider any claims or counterclaims of the Division, may set deadlines for producing documents, and may meet with the parties involved with the Claim together or separately as needed. Copies of submitted documents shall be provided to all parties.

(d) **Failure to Cooperate.** The failure of a party to cooperate with the investigation or provide requested documentation may be a consideration by the person(s) evaluating the Claim in reaching the findings in its report.

(e) **Record of the Proceeding.** The person(s) evaluating the Claim shall determine the extent to which formal minutes, transcripts, and/or recordings shall be made of the meetings and/or hearings and shall make copies available to all parties.

(f) **Certification.** The person(s) evaluating the Claim may require the certification of documents provided.

**(9) Timeframe for Person(s) Evaluation the Claim and Director's Determination.**

The Claim shall be resolved no later than sixty (60) days after the proper filing of the Claim, which includes any extension of time approved under Section R23-26-5(5). The person(s) evaluating the Claim may extend the time period for resolution of the Claim by not to exceed sixty (60) additional days for good cause. The time period may also be extended if the claimant agrees. The person(s) evaluating the Claim shall issue to the parties a schedule providing the timeframe for the issuance of the following:

- (a) a Preliminary Resolution Report including the preliminary findings regarding the Claim;
- (b) the receipt of written comments concerning the preliminary report. A copy of such comments must be delivered to the other parties to the Claim within the same timeframe;
- (c) a reply to written comments, which must also be delivered to the other parties to the Claim within the same timeframe; and
- (d) a final report and recommendation which must be delivered to the Director and the other parties no later than seven (7) days prior to the expiration of the required timeframe for resolution of the Claim.

(10) **Director's Final Resolution.** The Director shall consider the final recommendation and report and issue the final resolution of the Claim, with any modifications, prior to the expiration of the required timeframe for resolution of the Claim.

**R23-26-6. Administrative Appeal to the Executive Director of the Department of Administrative Services.**

(1) **Administrative Appeal.** The Contractor may file a written administrative appeal of the final resolution of the person(s) evaluating the Claim with the Executive Director of the Department of Administrative Services. The administrative appeal is the prerequisite for any further consideration by the State of Utah, or to judicial review of the issue giving rise to the Claim. It shall be considered that the Contractor, or another party brought into the process by the Division, has not exhausted its administrative remedies if such an administrative appeal is not undertaken.

(2) **Time for Filing.** The administrative appeal must be filed in writing promptly with the Executive Director and delivered to the other parties to the Claim, but in no case more than fourteen (14) days after the Contractor's receipt of the Director's final resolution of the Claim.

(3) **Content.** The Administrative Appeal must state the basis for the appeal.

(4) **Response.** Within five (5) days of receipt of the Administrative Appeal, any party may deliver to Executive Director written comments concerning the appeal. A copy of such comments must be delivered to the other parties to the Claim within the same five (5) day time period.

(5) **Reply to Written Comments.** Within five (5) days of receipt of written comments, any party may deliver to the Executive Director a reply to the written comments concerning the appeal. A copy of such reply must be delivered to the other parties to the Claim within the same five (5) day time period.

(6) **Executive Director's Decision.** Within thirty (30) days of receipt of the Administrative Appeal, and after considering the appeal, the Director's final resolution, responses and replies, the Executive Director or his/her designee shall issue a final decision of the appeal in writing and shall state the basis of the decision. Failure of the Executive Director to issue a written decision within the thirty (30) day time period, shall entitle the appellant to seek judicial review of the Claim. The time period for the Executive Director's decision may be extended by agreement of the Executive Director and the Appellant.

**R23-26-7 Payment of Claim.**

(1) When a stand alone component of a Claim has received a final determination, and is no longer subject to review or appeal, that amount shall be paid in accordance with the payment provisions of the contract or judicial order.

(2) When the entire Claim has received a final determination, and is no longer subject to review or appeal, the full amount shall be paid within fourteen (14) days of the date of the final determination unless the work or services has not been completed, in which case the amount shall be paid in accordance with the payment provisions of the contract to the point that the work or services is completed.

- (3) The final determination date is the earlier of the date upon which the claimant accepted the settlement in writing with an executed customary release document and waived its rights of appeal, or the expiration of the appeal period.
- (4) Any final determination where the Division is to pay additional monies to the Contractor shall not be delayed by any appeal or request for judicial review by another party brought into the process by the Division as being liable to the Division.
- (5) Notwithstanding any other provision of this rule, payment of all or part of a Claim is subject to any set-off, claims or counterclaims of the Division.
- (6) Payment to the Contractor for a Subcontractor issue (Claim) deemed filed by the Contractor, shall be paid by the Contractor to the Subcontractor in accordance with the contract between the Contractor and the Subcontractor.
- (7) The execution of a customary release document related to any payment may be required as a condition of making the payment.

**R23-26-8. Judicial Review.**

- (1) The Executive Director's decision on the appeal, or the failure to provide a decision within the required time period under Subsection R23-26-6(6), shall be deemed a final agency action subject to judicial review as provided in Sections 63-46b-14 and 63-46b15, including, but not limited to requirements for exhaustion of administrative remedies, the requirements for a petition of judicial review, jurisdiction and trial de novo.
- (2) The participation of a person in the claim evaluation process does not preclude the person from testifying in a judicial proceeding to the extent allowed by Utah law.

**R23-26-9. Allocation of Costs of Claim Resolution Process.**

- (1) In order to file a Claim, a claimant must pay a \$1500 filing fee to the Division. When the Claim is a pass-through from a Subcontractor in accordance with rule R23-26-4(6), the payment of the fee shall be made by the Subcontractor.
- (2) Unless otherwise agreed to by the parties to the Claim, the costs of resolving the Claim shall be allocated among the parties on the same proportionate basis as the determination of financial responsibility for the Claim.
- (3) The costs of resolving the Claim that are subject to allocation include the claimant's filing fee, the costs of any person(s) evaluating the Claim, the costs of making any required record of the process, and any additional testing or inspection procured to investigate and/or evaluate the Claim.
- (4) Each party is responsible for its own attorney fees, if any.

**R23-26-10. Alternative Procedures.** To the extent otherwise permitted by law, if all parties to a Claim agree in writing, a protocol for resolving a Claim may be used that differs from the process described in this rule.

**R23-26-11 Impact on Future Selections.**

- (1) The presentation of a good faith and non-frivolous issue or Claim shall not be considered by the Division's selection process for a future award of contract; and
- (2) The submission of a bad faith and frivolous issue or Claim or the failure by a Contractor to facilitate resolution of a Claim, may be considered in the Division's selection process for a future award of a contract.

**R23-26-12 Delegated Projects.** Projects delegated by the Division shall provide for contract provisions which provide a similar dispute resolution process as provided for in this rule.

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## **AMEND R23-4-5**

### **R23-4. Suspension/Debarment and Contract Performance Review Committee.**

R23-4-1. Purpose and Authority.

R23-4-2. Definitions.

R23-4-3. Suspended and Debarred Persons Not Eligible for Consideration of Award.

R23-4-4. Causes for Suspension/Debarment and Procedure.

R23-4-5. Contract Performance Review Committee.

R23-4-1. Purpose and Authority.

(1) This rule sets forth the ~~requirements regarding the Contract Performance Review Committee as well as~~ the basis and guidelines for suspension or debarment from consideration for award of contracts by the division.

(2) This rule is authorized under ~~Subsection 63A-5-208(6), which allows for the creation of a contract Performance Review Committee,~~ Subsection 63A-5-103(1), which directs the Building Board to make rules necessary for the discharge of the duties of the Division of Facilities Construction and Management, and Subsection 63-56-14(2), which authorizes the Building Board to make rules regarding the procurement of construction, architect-engineering services, and leases.

R23-4-2. Definitions.

~~(1) "Committee" means a contract performance review committee established pursuant to Subsection 63A-5-208(6).~~

(2) "Director" means the director of the division, including, unless otherwise stated, his duly authorized designee.

(3) "Division" means the Division of Facilities Construction and Management established pursuant to Section 63A-5-201.

(4) "Person" means any business, individual, union, committee, other organization, or group of individuals, not including a state agency.

R23-4-3. Suspended and Debarred Persons Not Eligible for Consideration of Award.

No person who has been suspended or debarred by the division, will be allowed to bid or otherwise solicit work on division contracts until they have successfully completed the suspension or debarment period.

R23-4-4. Causes for Suspension/Debarment and Procedure.

(1) The causes for debarment and procedures for suspension/debarment are found in Sections 63-56-48 through 63-56-50, as well as Section 63A-5-208(8). Pursuant to subsection 63-56-48(2)(e), a pattern and practice by a state contractor to not properly pay its subcontractors may be determined by the Director to be so serious and compelling as to affect responsibility as a state contractor.

(2) The procedures for suspension/debarment are as follows:

- (a) The director, after consultation with the using agency and the Attorney General, may suspend a person from consideration for award of contracts for a period not to exceed three months if there is probable cause to believe that the person has engaged in any activity which may lead to debarment. If an indictment has been issued for an offense which would be a cause for debarment, the suspension, at the request of the Attorney General, shall remain in effect until after the trial of the suspended person.
- (b) The person involved in the suspension and possible debarment shall be given written notice of the division's intention to initiate a debarment proceeding. The using agency and the Attorney General will be consulted by the director and may attend any hearing.
- (c) The person involved in the suspension and debarment will be provided the opportunity for a hearing where he may present relevant evidence and testimony. The director may establish a reasonable time limit for the hearing.
- (d) The director, following the hearing on suspension and debarment shall promptly issue a written decision, if it is not settled by written agreement.
- (e) The written decision shall state the specific reasons for the action taken, inform the person of his right to judicial or administrative review, and shall be mailed or delivered to the suspended or debarred person.
- (f) The debarment shall be for a period as set by the Director, but shall not exceed three years.
- (g) Notwithstanding any part of this rule, the Director may appoint a person or person(s) to review the issues regarding the suspension or debarment as a recommending authority to the Director.

~~R23-4-5. Contract Performance Review Committee.~~

~~Rule text~~

~~The Director may establish a Committee that shall be subject to the following:~~

- ~~(1) The Committee shall adjudicate complaints about contractor, subcontractor, and supplier performance by following the procedures of of this rule and applicable statute;~~
- ~~(2) The Committee shall, when appropriate, impose suspensions or debarments from bidding on state building contracts on contractors, subcontractors, and suppliers for cause; and~~
- ~~(3) The Director may request the Committee to hear other matters, such as any properly filed contract claims against the Division, issues regarding terminations of contracts or defective work, and any other matters that the Director determines will assist the Division in carrying out its responsibilities.~~
- ~~(4) In regard to (1) and (2) above, the Committee is acting as the chief procurement officer or the head of a purchasing agency for purposes of Section 63-56-48.~~
- ~~(5) In regard to (3) above, the Committee is acting as a recommending authority to the Director.~~
- ~~(6) The Committee shall consist of three members selected by the Director. At least two of the three members shall have expertise with the type of issues that are likely to appear before the Committee and they shall not be a member of any State Board or part of any state agency. One of the three members may be an employee or officer of a client agency that is not involved with the specific subject matter and person being reviewed.~~
- ~~(7) The Committee shall, to the extent permitted by law, compel the attendance of any witnesses or production of documents.~~
- ~~(8) The Committee shall meet at such times as designated by the Director.~~

~~(9) The Committee shall issue all decisions or recommendations in writing with a brief description of the grounds for the decision.~~

DRAFT



Olene S. Walker  
Governor

# Utah State Building Board

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## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Capital Development Process**

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### **Recommendation:**

DFCM recommends that the Board consider the suggested changes noted herein and review the sample scoring and then modify the draft evaluation guide which was approved at the last meeting and approve the final version for use this year. This will include a determination of the weighting factor to be applied to each objective/criteria. DFCM also requests that the Board determine the extent to which it would like to tour additional projects this year.

### **Background:**

In May and June, the Board worked on developing an evaluation guide for use in developing its capital development priorities this fall. In the June meeting, the Board gave conceptual approval to the version of the guideline that is contained in Attachment 3. The version in Attachment 3 reflects DFCM's understanding of desires expressed by the Board in the June meeting. The Board expressed its intent to finalize the guideline in its July meeting to aid agencies and institutions in developing their requests.

### ***Finalization of Guidelines***

In finalizing the guidelines, the Board will need to determine the weighting factor to be applied to each objective/criteria. DFCM has also suggested some changes in the draft version labeled Attachment 1. The suggested changes are shown in red italics. These suggestions are based on: (a) suggestions to address concerns that the Board struggled with in the meeting, (b) DFCM's experience in applying the guidelines, and (c) discussions with entities that will be submitting requests. An explanation of the suggested changes follows.

Objective 1 – While no wording change is proposed, DFCM wishes to clarify that the documentation of code and condition deficiencies is not limited to the products of DFCM's condition assessment program. Additional engineering analyses and the professional judgment of staff may also be considered.

Objective 2 – Past discussions regarding objectives 1 and 2 have indicated that these two objectives would balance each other. Projects would typically be either a renovation/replacement with the focus on the condition of the existing facility or they would be new space with the focus on the justification for increased space. The suggested wording changes clarify that only increased space will be evaluated in Objective 2.

Objectives 1 and 2 – A project that combines a renovation with an addition or which replaces an existing facility with a larger facility should be evaluated under both Objective 1 and 2. In order to maintain the balance between Objectives 1 and 2, DFCM also suggests that the scores in these situations be adjusted to reflect the proportion of the project that addresses the renovation/replacement of existing space (Objective 1) and the proportion that provides additional space (Objective 2).

It is also necessary to give a score of zero in Objective 1 or 2 as applicable if only one of these objectives applies to a project. Otherwise a project that is being scored under both objectives (such as the UofU Marriott Library) cannot achieve the same level of points for these two objectives as is possible for a project that is only a renovation or only new space.

Objective 4 – DFCM suggests that the evaluation criteria be modified to remove the reference to technology and innovative methods as the objective and the scoring anchors address enhancements to program effectiveness and capacity without limiting this to enhancements resulting from technology and innovative methods. The suggested wording also clarifies that capacity increases that are only the result of increased space will not be considered.

Objective 5 – The criteria and scoring anchors for this objective have generated more confusion and concern than any other objective. As a result, DFCM is proposing that they be modified to address the criticality of the program involved and the degree to which the project is required in order for the program to operate. This is admittedly a subjective evaluation. It is being proposed in response to the numerous comments that have been received regarding this objective. The scoring anchors retain the concept of supporting programs and initiatives pursued by the Governor and Legislature while broadening the scoring beyond this issue alone.

Objective 6 – A minor correction was made to replace the down arrow in the scoring anchors to an up arrow.

### ***Sample Scoring***

As requested by the Board, DFCM has prepared a sample scoring of a number of projects that were considered by the Board last year. (Attachment 2) The weights used for each objective are those that the Board asked us to test in the sample scoring. The revisions in the evaluation guide that are suggested above were used in the sample scoring.

This sample scoring is intended to demonstrate how the system would work and should not be viewed as a definitive indication of how these projects would be scored in an actual submission and evaluation. As the requesting entities had not been asked to submit a request in a manner that addresses the evaluation guide, sufficient information was generally not readily available with which to score the projects. It is likely that a number of the sample scores will change as the projects go through the full process this fall.

As the purpose of the sample scoring is to test the scoring process in the evaluation guide, comments are provided below for each objective on how the guide was applied. In the actual application of the process this fall, justifications will be provided for the scoring of each objective for each project.

Objective 1 – Only two of the projects involved the renovation or replacement of existing facilities. The documented cost of repairing existing deficiencies at the WSU Swenson Building is \$6,350,000. Since this is 74% of the total project request, the project received a score of 5 without a need to address life safety factors.

The UofU Marriott Library project includes the correction of existing building deficiencies, programmatic changes and general remodeling, and an addition to house an Automated Storage and Retrieval System. A more thorough analysis will be required to determine the amounts that should be considered in each area as they apply to different objectives. For purposes of the sample scoring, it was estimated that the cost of correcting documented deficiencies is 48% of the total project cost resulting in an initial score of 4. The project would then receive one bonus point as there would be a substantial impact to life and property if a significant earthquake should occur. The resulting score of 5 would then be reduced to reflect the proportion (estimated at 81%) of the project that addresses the existing building as opposed to the construction of new space. This results in a score of 4.

Objective 2 – For purposes of developing sample scores, the relative space need as indicated by the Board of Regent's Q&P formula was used to score the higher education projects. For other projects, sample scores were assigned based on limited information that was submitted with the request last year along with DFCM's perceptions of what demographic data would indicate. In developing actual scores, a more comprehensive analysis of demographic data will be performed.

For the UofU Marriott Library, additional calculations were needed similar to that noted under Objective 1. The Q&P formula suggests an initial score of 4. As the "new space" component of the project represents about 19% of the total project budget, the final score was determined by calculating 19% of the score of 4. This results in a score of 0.75.

Objective 3 – The sample scores were determined by comparing the cost per square foot of the project, taking into consideration the nature of the space. The Moab Regional Center purchase received a bonus point because it involves a bargain opportunity that requires immediate action or the opportunity will be lost. This is because the purchase option amount that was negotiated in the lease agreement many years ago expires on July 1, 2004 and it is clear that the owner will not agree to the price after the option expires.

Objective 4 – The WSU Swenson project received a score of 5 due to the substantial increase in program effectiveness and the increase in capacity that will result from captured space. The UofU Marriott Library received a score of 5 due to the significant improvement in program effectiveness and the increase in capacity that is being addressed in a more cost effective manner than just adding traditional library space. The SLCC, SUU, and Developmental Center projects received a score of 4 due to the substantial improvement in program effectiveness as they move from poor quality space to space that meets current programmatic needs and standards. The Moab project received a score of 2 as it does not affect program effectiveness but it does facilitate future growth through the acquisition of property for expansion. The BATC project received a score of 2 because the basis of the request is an opportunity to meet growth needs through the purchase of a building which are addressed in objectives 2 and 3. The criteria notes that capacity increases resulting simply from adding space are not scored under this objective.

Objective 5 – Under the suggested revision to the criteria and scoring anchors, the projects were scored based on the degree to which they supported an essential state function and how critical the project was for the function to be able to operate.

Objective 6 – The projects were scored based on the proportion of the project budget that is coming from non-state sources. As the Moab Regional Center was proposed to be financed through a lease revenue bond with debt service covered by existing operating budgets, it was scored based on the proportion of that debt service that would be covered from non-state funds.

### ***Schedule and Tours***

Since the last Board meeting, DFCM has distributed to agencies and institutions the draft that was approved by the Board along with a revised request format that supports the evaluation guide. This also includes a schedule for submission and evaluation of requests. These are attached for the Board's information. (Attachment 3)

It is anticipated that the August 4 Board meeting will be held at UVSC to facilitate a tour of UVSC and the Developmental Center. DFCM anticipates that the need for a Women's Prison will be a major issue in the capital budget this year. A tour of the existing Women's Prison in Draper could be included on August 4.

At the August meeting, the Board will need to give a preliminary approval to the draft rule for dispute resolution. At this time, it is not possible to estimate the amount of time that this issue may require in the meeting. As a result, it may be beneficial to schedule the tours in the morning, ending at UVSC. The Board meeting could then begin at 1:00 and not be constrained by the schedule for tours. Regardless of how the activities are scheduled, this would require a full day commitment from the Board members.

FKS:KEN:sl

Attachments

**Building Board**  
**Capital Development Request Evaluation Guide**

With Suggested Changes

**Attachment 1**

*July 1, 2004 Draft*

	Strategic Objectives	Evaluation Criteria	Weight	Scoring Anchors
1	Address life safety and other deficiencies in existing assets through renewal and replacement	Does the project address documented code and condition deficiencies? For life safety deficiencies, what is the potential impact and probability of occurrence?		5 = documented cost of deficiencies exceeds 60% of total project cost 3 = documented cost of deficiencies between 30% and 45% of total project cost 1 = documented cost of deficiencies is less than 15% of total project cost <i>0 = project does not address an existing facility</i> <b>-and-</b> ↑↑ if substantial threat to life and property <u>and</u> higher probability of occurrence ↑ if substantial threat to life and property <u>or</u> higher probability of occurrence
2	Address essential program growth requirements	Does the <i>increase in space</i> address documented growth of the essential program and to what degree are other needs/desires added onto the request?		5 = <i>increased space is well supported by</i> demographics for existing demand plus a reasonable allowance for future growth for the essential program 3 = <i>increased space is supported by</i> demographics for existing demand and growth for the essential program while also incorporating other <i>critical</i> needs. 1 = <i>increased space significantly</i> exceeds the level justified by demographics, no demographics are provided, <i>or the request does not include an increase in space</i> <i>0 = project does not result in an increase in space</i>
3	Cost effective solutions	Does the project reflect a cost effective solution appropriate to the facility need? Is this a “bargain” with a limited window of opportunity?		5 = Alternative approach that is substantially less costly to the State in the long term than a standard approach 3 = Cost effective solution appropriate to the facility 1 = More costly than is appropriate for the facility need <b>-then-</b> ↑ if this is a bargain opportunity that requires immediate action or the opportunity will be lost
4	Improve program effectiveness and/or capacity	<i>To what degree does the project improve program effectiveness or increase program capacity other than the simple addition of space?</i>		4 = substantial improvement in program effectiveness 2 = moderate improvement in program effectiveness <b>-and-</b> ↑ if significant increase in program capacity ↓ if minor increase in program capacity
5	Provide facilities necessary to support critical programs and initiatives	<i>Is the project required to support a critical state program or initiative?</i>		5 = <i>project is required for an essential state function to operate or to support a program or initiative expressly sought by the Governor and/or Legislature</i> 3 = <i>project is needed to support an important state program</i> 1 = <i>project enhances a less critical state program</i>
6	Take advantage of alternative funding opportunities for needed facilities	What portion of the total project cost is covered by alternative funds?		5 = more than 60% 3 = between 20% and 40% 1 = no alternative funding <b>-then-</b> ↑ if alternative funding (excluding donations) requires state funding this budget cycle

1. Except as noted in the scoring anchors, scoring is on a scale of 1 to 5 using whole numbers only with the scoring anchors identifying specific points on this scale.
2. ↑ and ↓ indicate that one point may be added or subtracted. This adjustment will not be made if it would cause the score to be greater than 5 or less than 1.
3. The scores for each criterion are multiplied by the weighting factor and summed to arrive at a total score.

**Building Board Capital Development Evaluation Guide**  
**Sample Scoring**  
**July 1, 2004**

**Attachment 2**

Objective	Weight	<i>Moab Regional Center Purchase</i>		<i>WSU Swensen Bldg. Remodel</i>		<i>National Guard SL/Davis Readiness Center</i>		<i>BATC Bourne Bldg. Purchase</i>		<i>SLCC Health Science Bldg.</i>		<i>UofU Marriott Library Renovation</i>		<i>SUU Teacher Education Bldg.</i>		<i>Developmental Center Residential Facilities</i>	
		Raw	Weighted	Raw	Weighted	Raw	Weighted	Raw	Weighted	Raw	Weighted	Raw	Weighted	Raw	Weighted	Raw	Weighted
1. Life safety & other existing deficiencies	1.5	0.0	0.0	5.0	7.5	0.0	0.0	0.0	0.0	0.0	0.0	4.0	6.0	0.0	0.0	0.0	0.0
2. Demographic support of requested program growth	1.5	5.0	7.5	0.0	0.0	5.0	7.5	3.0	4.5	5.0	7.5	0.75	1.1	3.0	4.5	3.0	4.5
3. Cost effective solutions	1.5	5.0	7.5	3.0	4.5	3.0	4.5	4.0	6.0	3.0	4.5	3.0	4.5	3.0	4.5	3.0	4.5
4. Program effectiveness and/or capacity	1.0	2.0	2.0	5.0	5.0	3.0	3.0	2.0	2.0	4.0	4.0	5.0	5.0	4.0	4.0	4.0	4.0
5. Critical state programs & initiatives	0.5	3.0	1.5	3.0	1.5	4.0	2.0	3.0	1.5	5.0	2.5	3.0	1.5	4.0	2.0	4.0	2.0
6. Alternative funding	0.5	3.0	1.5	3.0	1.5	5.0	2.5	1.0	0.5	1.0	0.5	3.0	1.5	1.0	0.5	1.0	0.5
<b>TOTAL POINTS</b>			20.0		20.0		19.5		14.5		19.0		19.6		15.5		15.5

Note: See the cover memo to the Building Board for explanations regarding scoring.



## State of Utah

Division of Facilities Construction and Management  
4110 State Office Building Salt Lake City, Utah 84114  
Phone: 801-538-3018 Fax: 801-538-3267

**Attachment 3**

### MEMORANDUM

To: Agencies and Institutions  
From: Ken Nye, Deputy Director  
Date: June 22, 2004  
Subject: Capital Development Request Process and Schedule

---

It is time to begin another cycle of capital development budget requests. The Building Board has initiated a substantial change in the process used in evaluating requests for state funds. This will require a significant change in the information being submitted.

In May and June, the Building Board had substantial discussions regarding a model that could be used to bring a greater degree of structure to the evaluation of requests. This model seeks to arrive at a mathematical score that indicates how well a requested project aligns with State objectives. The Board anticipates using these scores as a guide in developing its priority list. In its June meeting, the Board gave conceptual approval to the attached evaluation guide. The Board anticipates that it will finalize this guide in its next meeting on July 14 for use in evaluating projects this fall. This will include a determination of the weight to be applied to each criterion. We will distribute the final version as soon as final Board approval is given.

The Board has asked that each agency or institution suggest a scoring for its project and provide justification for its suggested score. The Board also asked DFCM to evaluate the information provided and perform its own analysis to arrive at its suggested scores. Both of these documents will then be provided to the Board for its consideration. The Board anticipates arriving at a final score following the presentations that are scheduled for October 6. These scores will be considered by the Board in arriving at its recommended priority list.

Due to the limited amount of funding that is expected to be available, we request that departments, colleges, and universities submit only one state-funded capital development request for consideration for funding this budget cycle. This limitation does not apply to requests for land purchases. Additional projects to be considered in the future should be noted on the Five-Year Plan as noted below. Please contact me if you believe that you have unique circumstances that warrant consideration of additional projects this year.

The Building Board may tour some of the projects included in the list for consideration in FY06. The Capital Facilities legislative committee may participate in these tours.

One of our project directors will work with you in developing your project requests. If you do not know who to work with, please contact Blake Court at 538-3281 or [bcourt@utah.gov](mailto:bcourt@utah.gov). If you have any other questions, you can contact me at 538-3284 or by email at [knye@utah.gov](mailto:knye@utah.gov). The timetable of activities is outlined below.

July 9, 2004 – By this date, please make Ken Nye aware of any state funded capital development request being pursued this funding cycle. The preferred method of notification is by email to [knye@utah.gov](mailto:knye@utah.gov) . This will allow us to inform the Building Board of the projects being pursued and ensure that we have one of our staff working with you on your request. The project being requested may be changed after this date but a change may place your request at a disadvantage in the evaluation process.

August 16, 2004 – Deadline for submitting the following:

1. FY06 State-Funded Capital Development Requests. Please use the attached format for state-funded requests. A detailed request is not required for projects for which funding is not being requested in FY06. These future requests should be identified on the Five-Year Plan as noted below.
2. Agency/Institution Five-Year Plan. This consists of a list of anticipated state-funded requests for the next 5 years including project name and estimated cost
3. FY06 Nonstate-Funded Requests. These are projects for which authorization will be requested in the 2005 legislative session. Please use the attached format for nonstate-funded requests.

September 3, 2004 – Deadline for resolving the scope and budget estimate of both state funded and non-state funded requests. This resolution will be led by DFCM's project director.

September 20, 2004 – DFCM distributes materials to the Building Board for its review prior to the presentations. This will include the requests submitted by agencies and institutions (including their suggested scoring and justification) along with DFCM's suggested scoring and analysis.

October 6, 2004 – Presentations to the Building Board for state-funded capital development requests.

October 21, 2004 – Presentations to the Building Board for nonstate-funded capital development requests. Building Board sets priorities for its capital development recommendations that will be submitted to the Governor and the Legislature.

In order to facilitate review, we emphasize that the requests should be prepared in a concise manner while addressing the requirements identified on the standard formats. It is generally expected that state-funded requests will not exceed six pages, not counting any attached demographic information or graphics. Please submit this information to me by email at [knye@utah.gov](mailto:knye@utah.gov).

Thank you for your assistance in developing the State's Capital Budget.

**Capital Development Project  
State Funded Request  
FY2006**

*(Note: In order to facilitate brevity, instructions in italics should be deleted in the submitted document.)*

**Agency/Institution:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Agency/Institution Priority:** \_\_\_\_\_

**Preliminary Cost Estimate:** \$ \_\_\_\_\_

*(Your DFCM project director will work with you to develop the final budget request.)*

**Total Project Space (Gross Square Feet)** \_\_\_\_\_

New Space (Gross Square Feet) \_\_\_\_\_

Remodeled Space (GSF) \_\_\_\_\_

Space to be Demolished (GSF) \_\_\_\_\_

**Increase in State Funded O&M** \$ \_\_\_\_\_

*(Estimate the amount, if any, that will be requested beyond current budget levels for state funded O&M. Explain how this amount was determined below. If O&M funding is to come from another source, please explain the funding source below.)*

**New Program Costs** \$ \_\_\_\_\_

*(Estimate the cost of new or expanded programs and services that will result if the project is funded and provide a brief description below. This should include any operating budget increase that will be required, other than O&M, in order to operate the programs that will be housed in the requested facility.)*

**New FTEs Required** \_\_\_\_\_

*(Estimate the number of new employees that will be required if the project is funded and provide a brief description below; i.e., staff for new or expanded programs or to maintain the facility. This includes any FTE that will be paid for from Increased O&M Funding or New Program Costs noted above.)*

**Other Sources of Funding** \$ \_\_\_\_\_

*(Identify other sources of funding such as donations, federal grants, and debt and indicate whether that funding is in hand. If debt is proposed for the project, identify the funding source for its repayment.)*

**Previous State Funding** \$ \_\_\_\_\_

*(Identify state funding previously provided for this project; i.e., planning, land purchase, etc.)*

**Existing Facility:**

*(How is the existing program housed? Why is the existing facility not able to meet your needs? What is the proposed use or disposition of the existing facility if your request is funded?)*

**Project Description:**

*(Describe the project. Identify areas of new construction versus remodeling as well as any existing facilities to be demolished. Document the programs and services to be offered in the proposed facility. Discuss unique design requirements and program requirements. If the project involves the acquisition of an existing facility, indicate whether an independent appraisal has been obtained and the results of that appraisal.)*

**Planning/Programming:**

*(Describe the level of planning and programming that has been completed for the project.)*

**Site and Infrastructure:**

*(Estimate the size of site required for the project. If a site has been identified, document its location, size, ownership, and unique characteristics. If the site is not owned by the state, address the availability and cost of purchasing the site and the results of any appraisals that have been performed. Agencies should work with DFCM's real estate staff in addressing potential purchases. Identify any requirements to provide access to the site or to provide for parking. If the site is on an existing campus, address the capacity of the existing campus infrastructure to service the utility needs of the facility. If the site is not on an existing campus, address the degree to which utilities are available to the site.)*

**Scoring Analysis for Building Board Request Evaluation Guide:**

*Please provide the following self-scoring and justification to aid the Building Board and DFCM in applying the attached Capital Development Request Evaluation Guide. The Building Board has given conceptual approval to this draft with final action expected in the Board's next meeting on July 14. Any changes will then be distributed so that you can adapt your request information.*

1. Existing Building Deficiencies and Life Safety Concerns. Suggested Score \_\_\_\_  
*(If the request involves the renovation or replacement of an existing state owned facility, provide a summary (one page maximum) of critical life safety and other deficiencies in the existing facility. Address the potential impact and probability of occurrence of life safety deficiencies. Coordinate with assigned DFCM staff to identify the extent to which the project addresses documented deficiencies in the existing facility.)*
  
2. Essential Program Growth Requirements. Suggested Score \_\_\_\_  
*(Summarize demographic data which justifies the scope of any increased space requested in the project. Attach the source date unless it is generally available, in which case a reference to the source data may be provided. Examples of demographic data that may be used*

*include workload, enrollment, and population changes.)*

3. Cost Effectiveness. Suggested Score \_\_\_\_  
*(Address the expected level of quality and extent of aesthetic/monumental features in light of the purpose and nature of the requested project. If an alternative approach is being suggested that is less costly than a standard approach, demonstrate the immediate and long term savings of the alternative approach. Demonstrate any time constraints associated with the alternative approach.)*
  
4. Improved Program Effectiveness and/or Capacity. Suggested Score \_\_\_\_  
*(Demonstrate how the requested project will improve the effectiveness and/or capacity of the associated program(s) and thereby improve the delivery of services. Identify any use of technology or other innovative methods to achieve this.)*
  
5. Support to Critical State Programs and Initiatives. Suggested Score \_\_\_\_  
*(Justify your suggested score by identifying critical state programs or initiatives that the requested project will support. Provide evidence of the level of support for the program or initiative from elected officials such as the Governor and the Legislature, as well as governing boards and the head of the state department or institution. Please note that the level of support should address the critical state program or initiative as opposed to the specific project being requested.)*
  
6. Alternative Funding Sources. Suggested Score \_\_\_\_  
*(Document, by category, the amount of alternative funding that is in hand, the amount for which enforceable commitments have been obtained, and any additional amount for which alternative funding is being sought. With the exception of donations, identify any timing constraints associated with the alternative funding.)*

**Photographs and Maps:**

*(Photographs and other graphics of the project and/or maps showing where the facility will be located are requested to be submitted separately, in electronic format if possible. These should help explain the project and justify why it should be funded.)*

**Capital Development Project  
Non-State Funded Request  
FY2006**

*(Note: In order to facilitate brevity, instructions in italics should be deleted in the submitted document.)*

**Agency/Institution:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Preliminary Cost Estimate:** \$ \_\_\_\_\_  
*(Your DFCM project director will work with you to develop the final budget request.)*

**Total Project Space (Gross Square Feet)** \_\_\_\_\_

New Space (Gross Square Feet) \_\_\_\_\_  
Remodeled Space (GSF) \_\_\_\_\_  
Space to be Demolished (GSF) \_\_\_\_\_

**Increase in State Funded O&M** \$ \_\_\_\_\_  
*(Estimate the amount, if any, that will be requested beyond current budget levels for state funded O&M. Explain how this amount was determined below. If O&M funding is to come from another source, please explain the funding source below.)*

**New Program Costs** \$ \_\_\_\_\_  
*(Estimate the cost of new or expanded programs and services that will result if the project is authorized and provide a brief description below. This should include any operating budget increase that will be required, other than O&M, in order to operate the programs that will be housed in the requested facility.)*

**New FTEs Required** \_\_\_\_\_  
*(Estimate the number of new employees that will be required if the project is authorized and provide a brief description below; i.e., staff for new or expanded programs or to maintain the facility. This includes any FTE that will be paid for from Increased O&M Funding or New Program Costs noted above.)*

**Sources of Funding** \$ \_\_\_\_\_  
*(Identify the sources of funding such as donations, federal grants, and debt and indicate whether that funding is in hand. If debt is proposed for the project, identify the funding source for its repayment.)*

**Existing Facility:**  
*(How is the existing program housed? Why is the existing facility not able to meet your needs? What is the proposed use or disposition of the existing facility if your request is authorized?)*

**Project Description:**

*(Describe the project. Identify areas of new construction versus remodeling as well as any existing facilities to be demolished. Document the programs and services to be offered in the proposed facility. Discuss unique design requirements and program requirements. If the project involves the acquisition of an existing facility, indicate whether an independent appraisal has been obtained and the results of that appraisal.)*

**Planning/Programming:**

*(Describe the level of planning and programming that has been completed for the project.)*

**Site and Infrastructure:**

*(Estimate the size of site required for the project. If a site has been identified, document its location, size, ownership, and unique characteristics. If the site is not owned by the state, address the availability and cost of purchasing the site and the results of any appraisals that have been performed. Agencies should work with DFCM's real estate staff in addressing potential purchases. What is required to provide access to the site and to provide for parking. If the site is on an existing campus, address the capacity of the existing campus infrastructure to service the utility needs of the facility. If the site is not on an existing campus, address the degree to which utilities are available to the site.)*

**Justification/Business Plan:**

*(Document the need for and economical viability of the project. The following should be addressed in your analysis where applicable:*

- *How does the project help you fulfill your mission and the objectives of the programs and services to be included in the project.*
- *Document current demand for these programs and services.*
- *Estimate growth in these programs and services and the space needed for that growth.*
- *Document how the new facility relates to other facilities and fits into your facility master plan.*
- *Document the problems the project will solve.*
- *Describe in detail why the project is needed---why is the proposed project the correct solution)*

**Photographs and Maps:**

*(Photographs and other graphics of the project and/or maps showing where the facility will be located are requested to be submitted separately, in electronic format if possible. These should help explain the project and justify why it should be funded.)*



**Olene S. Walker**  
*Governor*

# Utah State Building Board

4110 State Office Building  
Salt Lake City, Utah 84114  
Phone (801) 538-3018  
Fax (801) 538-3267

## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Utah Seismic Safety Commission Presentation**

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The Utah Seismic Safety Commission has requested the opportunity to make a brief presentation to the Board regarding the Safety Commission's mission, vision and activities. This Commission may be a resource in addressing risks associated with earthquakes.

The Commission will be represented by Barry Welliver who currently chairs the Commission and is the owner of Welliver Engineers, and Walter Arabasz, who is the past chair and also the Director of the UofU Seismograph Stations.



**Olene S. Walker**  
Governor

# Utah State Building Board

4110 State Office Building  
Salt Lake City, Utah 84114  
Phone (801) 538-3018  
Fax (801) 538-3267

## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Reallocation of Capital Improvement Funds**

---

### **Recommendation**

DFCM recommends that the Building Board reallocate Capital Improvement funds at the following institutions: \$700,000 at Weber State University, \$790,000 at Utah Valley State College, \$267,200 at the Mantua Fish Hatchery for Wildlife Resources, and \$153,000 from Unallocated Energy Funds to the Department of Corrections.

### **Background**

**Weber State:** On May 5, 2004, the Board authorized \$776,600 for the WSU Steam, Condensate & Domestic Water Line Replacement project. However, during the design phase it was discovered that the complexity of the project is much greater than initially supposed. Consequently, the design phase will require several months to complete and construction cannot begin during the summer break. This project must be constructed during the summer months because of the disruption it will have on campus. As a result, the university requests that the construction funds associated with this project be reallocated to other projects which can be completed during the summer/fall. The university will request construction funding for the project next year (FY 2006) after the design is completed. The university requests that \$700,000 be reallocated to the following projects: (A detailed description of each project is attached.)

- a. \$500,000 to the Browning Center Auditorium Rigging Replacement;
- b. \$150,000 to the Central Heating Plant Boiler Control Upgrade; and
- c. \$50,000 to the Chilled Water Plant Modification/Addition Study.

**Utah Valley State College:** On May 5, 2004, the Board authorized \$711,000 for the UVSC Administration Building HVAC Upgrade. These funds were combined with \$657,000 from last year's Domestic and HVAC Hot Water Pipe and Valve Replacement Project because the two projects contained several overlapping elements and the engineering for both projects could be combined. Unfortunately, the engineering firm selected for the project missed the completion deadline for the final design by several weeks and construction cannot be completed over the summer break. This project must also be constructed during the summer months because of the disruption it will have on campus. As a result, the college requests that the Board reallocate the unused balance to other projects that can be completed over the summer/fall. The college will request construction funding for the project next year (FY 2006). The college requests that

\$790,000 be reallocated to the following projects: (A detailed description of each project is attached.)

- a. \$125,000 to the Campus Wide Exterior Panel Replacement;
- b. \$225,000 to Campus Wide Paving Upgrades;
- c. \$310,000 to Replace the Concrete Liner in the Irrigation Ponds; and
- d. \$130,000 for a Student Road Crossing (Underpass project previously approved but underfunded).

**Wildlife Resources, Mantua Fish Hatchery:** On May 5, 2004, the Board authorized \$267,200 for projects at the Mantua Hatchery; \$187,200 for a roofing project and \$80,000 for raceway repairs. Subsequently, DFCM and officials from Wildlife Resources determined that it would be more cost effective to demolish the old hatchery and raceways and reconstruct new facilities. In addition to the old and dilapidated condition of the existing facilities, the location of the hatchery is inefficient and expensive to operate. The existing hatchery is upstream from the spring that provides water to the hatchery which results in the hatchery spending approximately \$60,000 per year to pump water from the spring to the hatchery. The new facilities will be downstream from the spring eliminating pumping costs. The total cost of the project (hatchery and raceways) will be approximately \$1.8 million. Funding for the project will come from capital improvement funds (\$267,200) and a restricted fund for Wildlife Resources authorized by the Legislature for upgrading and repairing fish hatcheries.

**Department of Corrections:** The HVAC system at the Wasatch Chapel at the Draper Prison is undersized and part of the system has failed leaving the building without adequate cooling and heating. This nondenominational building is state owned and used to provide religious instruction and counseling for inmates. DFCM recommends that the Board authorize the use of \$153,000 in Unallocated Energy Funds for this project. As noted in a previous Board meeting, DFCM is in the process of redirecting the Energy Fund Account. The Energy Fund was established several years ago with the intention of performing high payback energy savings projects such as lighting upgrades, motion sensors, etc. However, it was learned that performing these high payback energy savings projects inhibits our ability to accomplish more extensive ESCO projects. This is because the easy to do high payback energy savings projects help fund lower payback large scale projects such as chiller replacements through the ESCO.

FKS:KDB:sl

## **Additional Background on Higher Education Projects:**

### **Weber State University Projects**

**Browning Center Auditorium Rigging Replacement:** The Val A, Browning Center for the Performing Arts is a multi-use, teaching, office, performing arts facility constructed in two phases: 1964 and 1966. This building underwent substantial remodeling in 1999. Two major theaters located within the structure are host to several cultural events throughout the calendar year. The theater rigging system is original to each phase and is at the end of its expected life cycle. Consultants hired by the university, have pointed out the need for total replacement of the entire rigging system as critical components are rusted, bent and/or are in danger of complete failure. There are no fire protection curtains of any type, in either theater. The existing curtains are flame retardant only, do not meet existing codes and will not withstand the smoke pressure of a fire. Continued deterioration of the rigging system has dictated that this project be moved to a higher priority for funding.

**Central Heating Plant Boiler Control Safety Upgrades:** The Central Heating Plant houses four 100 psi steam generating boilers the oldest of which was installed in 1952. Additional boilers to supply the needs of a continually expanding campus were added in 1953, 1972 and 1996. An independent study commissioned by the University has pointed out the need to bring the boiler and burner control systems up to current codes and safety standards. Energy efficiency will also be enhanced as a result of these proposed upgrades

**Chilled Water Plant Modification/Addition Study:** The Central Chilled Water Plant currently consists of 2-1250 ton and 1-650 ton centrifugal chillers located in the mechanical space and an underground vault at our Science Lab Building. These chillers range in vintage from 1975 to 2001. Proposed additions to a rapidly expanding campus will place demands on the chilled water plant that may well exceed total plant capacity in the very near future, without any regard to a measure of redundancy. Problems are currently being experienced with inadequate flow to our new Visual Arts Building and the continual resetting of chillers due to an improperly installed floating bypass valve in the central plant. This study is necessary to provide alternatives for solving current problems as well as to address the near (2-3 year) and long (5-7 year) term needs of the university.

### **UVSC Projects**

**Panel Replacement, Orem Campus:** This project will replace the exterior steel panels that are rotting away due to exposure to the elements. Panels throughout the campus are deteriorated and need to be replaced. Replacement panels should be of a rustproof material to prevent this problem from occurring in the future.

**Campus Wide Paving, Orem Campus:** Parking lot repairs and addition of additional parking stalls. The college has worked with DFCM in identifying parking lots that need to be sealed. In addition, the college is contributing funds to upgrade and install additional parking in the compound area. With the rapid growth of the college, parking is at a premium and must be maintained.

Liner Replacement, Orem Campus: This project will install a new irrigation pond concrete lining to reduce 24,000 gallons of water loss per day. The old liner has basically failed resulting in the loss of substantial water. Over time, the reduction of lost water could pay for the project.

Student Crossing, Orem Campus: This project will develop a new underground student crossing. The college is contributing approximately \$100,000 to the project. The project has been designed and is ready for construction. With the addition of the state funds, construction can begin this month and be completed by the fall semester. This project will enhance the safety of students on campus.



**Olene S. Walker**  
Governor

# Utah State Building Board

4110 State Office Building  
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Fax (801) 538-3267

## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Update on Energy Conservation Efforts**

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### **ESCO Update**

DFCM will update the Building Board on the progress of the ESCO projects underway at the Department of Corrections, Draper Prison, Utah Valley State College, and the Ogden Regional Center. As previously reported to the Board, ESCO projects replace outdated and inefficient equipment and systems at state owned facilities with high efficiency energy saving equipment and systems. A loan is obtained from a private lending institution to pay for each ESCO project and energy savings (reduced electrical, gas and water expenses) are used to pay off the loan.

To date, phase I (\$6.5 million) of the Draper Prison ESCO has been completed and phase II (\$5 million) has just received financing. Construction on phase II is scheduled to begin in July. The energy audits for the UVSC (\$9 million) and Ogden Regional Center (\$500,000) ESCOs have been completed and DFCM is in the process of obtaining financing for these projects. Construction is anticipated to begin by August.

### **Fuel and Power Consultant for Higher Education**

Legislation was adopted this year requiring Higher Education to develop a plan for managing energy costs and then report to a legislative interim committee. Higher Education is selecting a consultant to assist with this effort. It is anticipated that the consultant will review current energy costs and consumption, identify energy conservation projects that have been completed in recent years, and address several ideas for reducing energy costs and/or consumption. A status report on this effort will be provided at the Board meeting.

FKS:KDB:sll



**Olene S. Walker**  
*Governor*

# Utah State Building Board

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## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Administrative Reports for University of Utah and Utah State University**

Attached for your review and approval are the administrative reports for the University of Utah and Utah State University.

FKS:sll

Attachment



June 25, 2004

Mr. Keith Stepan  
Division of Facilities Construction  
and Management  
4110 State Office Building  
Salt Lake City, UT 84114

**Reference: Delegated Projects Report for the Meeting of July 14, 2004**

Dear Keith:

The status report of delegated projects to the University of Utah is enclosed for the Utah State Building Board.

Please call me at 581-3135 if there are any questions.

Sincerely,

John W. Huish  
Director, Campus Design & Construction

Enclosures

c: Mike Perez

**Campus Design & Construction**  
V.Randall Turpin University Services Building  
1795 E. South Campus Drive, Rm 201  
Salt Lake City, Utah 84112-9403  
(801) 581-6883  
FAX (801) 581-6081



## MEMORANDUM

To: Utah State Building Board  
From: John W. Huish  
Date: June 25, 2004  
Subject: Administrative Reports for University of Utah

The following is a summary of the administrative reports for the University of Utah:

**Architect/Engineering Agreements Awarded** (Page 1)  
Three (3) Design Agreements; one new Study Agreement.

**Construction Contracts Awarded** (Page 2)  
One new Remodeling Contract; two (2) new Site Improvement Contracts and one Design/Build Contract.

**Report of Contingency Reserve Fund** (Page 3)  
No activity since the last report.

**Report of Project Reserve Fund Activity** (Page 4)  
No activity since the last report.

JWH:sf

Attachments

University of Utah  
 Architect/Engineer Agreements  
 Awarded From May 15, 2004 to June 25, 2004

Design	Project No.	Project Name	Firm Name	Proj. Budget	Contract Amt	Comments
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	0039-11550	Sculpture Building Room 181- Plaster Dust Collection System	Intermountain Consumer Professional Engineers, Inc.	\$138,700	\$17,845	Award Date 09 June 04
	0077-12148	C. Roland Christensen Center - Garden Plaza	MJSA Architecture	\$400,000	\$42,175	Award Date 23 June 04
	8842-12043	East Ballfield Womens Softball Facility	AJC Architects	\$3,613,690	\$15,950	Award Date 27 May 04 - Initially for Schematic and Cost Estimate, Design to Follow

Programming	Project No.	Project Name	Firm Name	Const. Budget	Contract Amt	Comments
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Study	Project No.	Project Name	Firm Name	Proj. Budget	Contract Amt	Comments
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	0085-12312	Henry Eyring Building, South Tower Expansion	Pace Pollard Architects, L.C.	\$20,000,000	\$10,000	Award Date 15 June 04- Grant Request Drawings Only
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**University of Utah  
Construction Contracts  
Awarded From May 15, 2004 to June 25, 2004**

Project No.	Project Name	Firm Name	Design Firm	Const. Budget	Contract Amt.	Comments
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Project No.	Project Name	Firm Name	Design Firm	Const. Budget	Contract Amt.	Comments
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0512-11843	Rocky Mountain Center for Occupational and Environmental Health (RMCOEH) Conversion to Research Administration	Cameron & Company, Inc. dba Cameron Construction	Cooper Roberts Simonsen Architecture	\$1,600,000	\$1,600,000	Value Based Selection - Issued 4 June
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Project No.	Project Name	Firm Name	Design Firm	Const. Budget	Contract Amt.	Comments
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0066-12126	Roy W. & Elizabeth E. Simmons Pioneer Memorial Theatre Fire Detection and Suppression System Upgrade	Taylor Electric, Inc.	James D. Graham & Associates, Inc.	\$232,284	\$224,364	Competitive Bidding Climate- Issued 7 June
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0005-11671	George Thomas Museum of Natural History- Fire Detection & Suppression Upgrades	Arco Electric, Inc.	BNA Consulting Engineers II	\$585,000	\$399,707	Competitive Bidding Climate- Issued 28 May
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Design/Build Project No.	Project Name	Firm Name	Design Firm	Const. Budget	Contract Amt.	Comments
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0212-12278	Indoor Practice Facility	Okland Construction Company, Inc.	VCBO Architecture	\$5,500,000	\$5,500,000	Issued 25 June 04
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University Of Utah  
 Report Of Contingency Reserve Fund  
 For the Period of May 14, 2004 to June 25, 2004

PROJ. NO.	DESCRIPTION	CURRENT TRANSFERS	TOTALS TRANSFERS FROM CONTINGENCY	% TO CONSTR. BUDGET	PROJECT STATUS
	BEGINNING BALANCE	902,713.07			
	INCREASES TO CONTINGENCY RESERVE FUND				
	DECREASES TO CONTINGENCY RESERVE FUND				
	NEW CONSTRUCTION				
	REMODELING				
	PLANNING / OTHER				
	ENDING BALANCE 01-00341-7000-05107	902,713.07			

University Of Utah  
 Report Of Project Reserve Fund Activity  
 For the Period of May 14, 2004 to June 25, 2004

PROJECT NUMBER	PROJECT TITLE	TRANSFER AMOUNT	DESCRIPTION FOR CONTINGENCY TRANSFER	% OF CONSTR. BUDGET
	BEGINNING BALANCE	172,982.70		
	INCREASES TO PROJECT RESERVE FUND:			
	DECREASES TO PROJECT RESERVE FUND:			

CURRENT BALANCE OF PROJECT RESERVE: 172,982.70



OFFICE OF THE VICE PRESIDENT  
FOR FINANCE AND BUSINESS  
1445 Old Main Hill  
Logan, UT 84322-1445  
(435) 797-1146  
FAX: (435) 797-0710

23 June 2004

F. Keith Stepan, Director  
Division of Facilities Construction  
and Management  
4110 State Office Building  
Salt Lake City, Utah 84114

Dear Keith:

SUBJECT: USU Administrative Reports for July 2004 Building Board Meeting

The following is a summary of the administrative reports for USU for the period 05/12/04 to 06/23/04:

**Professional Contracts, 4 contracts issued** (Page 1)  
No significant items.

**Construction Contracts, 8 contracts issued** (Page 2)  
Item 1, Recital Hall - Awards Bid Package #1 of a CM/GC contract. Bid Package #1 includes mobilization, site demo/clearing, utility relocation, tunnel and mass excavation.

Item 3, Steam/Condensate Pipe Replacement - Bids received were higher than estimated. An amount of \$20,000 is needed from the Project Reserve Fund to award the contract for this project. The underground piping to be replaced was in worse condition than expected.

Items 7 & 8, Water Lab Fire Damage Repairs - Originally, Advanced Restoration Systems and Utah Disaster Kleenup were subcontractors to Bailey Construction for the fire cleanup and construction repair. Difficulties with the insurance company representing the contractor responsible for the fire have caused lawsuits to be filed. State Risk Management is now involved and has advanced funds to pay Advanced Restoration Systems and Utah Disaster Kleenup direct for a portion of their expenses. Negotiations will continue.

**Report of Contingency Reserve Fund** (Page 3)  
Excluding paving, Utah State University was delegated \$4 million for FY05 capital improvement projects. An amount of \$199,609, or an overall 5.71% of the construction budgets for the delegated projects, has been added to the contingency fund.

**Report of Project Reserve Fund Activity** (Page 4)  
Steam/Condensate Pipe Replacement - As explained above, \$20,000 is needed from the Project Reserve Fund to award the contract for this project.

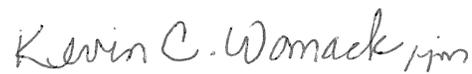
F. Keith Stepan, Director  
23 June 2004  
Page 2

**Current Delegated Projects List** (Pages 5-6)

New projects listed are the FY05 capital improvement projects not previously reported. These are Agricultural Science Electrical Upgrade, Science Engineering Research Utility Corridor, Campus Safety Lighting 3, Education Overhead Fire Doors Replacement, and Veterinary Science Fume Hood Upgrades. Funding for the 900 East Rebuilding (Paving) has also been allocated. The Spectrum Floor Replacement is another new project funded with student fees. This project replaces the basketball playing floor in the Spectrum.

Representatives from Utah State University will attend the Building Board meeting to address any questions the Board may have.

Sincerely,

Handwritten signature of Kevin C. Womack in cursive.

Kevin C. Womack  
Associate Vice President for  
Business and Finance

KCW/jm

c: Darrell E. Hart  
Stanley G. Kane  
Brent Windley



Office of the Vice President for Business and Finance  
1445 Old Main Hill  
Logan, UT 84322-1445

# Professional Contracts Awarded From 05/12/04 to 06/23/04

Contract Name	Firm Name	Budget	Fee Amount	Comments
1 CPD Fire Alarm Upgrade	Spectrum Engineers	\$3,353.00	\$3,353.00	
2 Nelson Fieldhouse Mezzanine	Beazer Engineering	\$3,300.00	\$3,300.00	Electrical engineering design
MISCELLANEOUS CONTRACTS				
3 Recital Hall	C. A. Cartwright		\$2,200.00	Geotechnical investigation
4 Romney Stadium Turf	Knighton & Crow		\$460.00	Sub-base pit run tests
<b>Total</b>		<b>\$6,653.00</b>	<b>\$9,313.00</b>	

# Construction Contracts

## Awarded From 05/12/04 to 06/23/04

Project	Firm Name	Design Firm	Const Budget	Contract Amt	Comments
1 Recital Hall	Jacobsen Construction	Sasaki Associates	n/a	\$500,444.00	Bid package #1 of CM/GC contract
2 Nelson Fieldhouse Mezzanine	Raymond Construction	RDF Engineering and Beazer Engineering	\$364,223.00	\$364,223.00	
3 Steam/Condensate Pipe Replacement	Whitaker Construction	Stanley Consultants	\$228,385.00	\$248,385.00	Transferring \$20,000 from Project Reserve Fund to award contract
4 A-6 Parking Lot Overlay (Paving)	Jack B. Parson Company	USU Facilities Planning and Design	\$74,750.00	\$74,750.00	
5 Spectrum Floor Replacement	Croft-Beck Floors	USU Facilities Planning and Design	\$68,597.00	\$68,597.00	
6 Insulate Condensate Lines	Whitaker Construction	Stanley Consultants	\$170,000.00	\$30,000.00	Contract represents portion of total construction
<b>MISCELLANEOUS CONTRACTS</b>					
7 Water Lab Fire Damage Repairs	Advanced Restoration Systems	USU Facilities Planning and Design		\$134,230.63	Partial cleanup costs. Contractor's insurance pending for additional costs.
8 Water Lab Fire Damage Repairs	Utah Disaster Kleenup	USU Facilities Planning and Design		\$99,665.99	Partial cleanup costs. Contractor's insurance pending for additional costs.
<b>Total</b>			<b>\$905,955.00</b>	<b>\$1,520,295.62</b>	



Office of the Vice President for Business and Finance  
 1445 Old Main Hill  
 Logan, UT 84322-1445

# Report of Contingency Reserve Fund

## From 05/12/04 to 06/23/04

Project Title	Current Transfers	Total Transfers To (From) Contingency	% to Construction Budget	Project Status	% Completed (Paid)
<b>BEGINNING BALANCE</b>	<b>\$372,724.85</b>				
<b>INCREASES TO CONTINGENCY RESERVE FUND</b>					
CPD Fire Alarm Upgrade	5,000.00	5,000.00	7.14%		
HPER Upgrades (Floors, A/C, Locks, Fire Alarms)	40,952.00	40,952.00	5.00%		
Agricultural Science Electrical Upgrade	5,434.00	5,434.00	6.00%		
Science Engineering Research Utility Corridor	53,320.00	53,320.00	6.00%		
Central Energy Plant Electrical Upgrade	15,072.00	15,072.00	4.50%		
Campus Safety Lighting 2-3	11,699.00	15,849.00	6.00%		
Art Barn Electrical Upgrade	791.00	791.00	8.00%		
Lund Hall Chiller Replacement	8,000.00	8,000.00	10.00%		
Central Energy Plant Chillers	25,837.00	25,837.00	4.50%		
Education Overhead Fire Door Replacement	5,689.00	5,689.00	8.00%		
Veterinary Science Fume Hood Upgrades	32,815.00	32,815.00	8.00%		
<b>DECREASES TO CONTINGENCY RESERVE FUND</b>					
None					
<b>ENDING BALANCE</b>	<b>\$577,333.85</b>				



Office of the Vice President for Business and Finance  
 1445 Old Main Hill  
 Logan, UT 84322-1445

# Report of Project Reserve Fund Activity

## From 05/12/04 to 06/23/04

Project Title	Transfer Amount	Description	% of Construction Budget
<b>BEGINNING BALANCE</b>	<b>\$145,185.88</b>		
<b>INCREASES TO PROJECT RESERVE FUND</b>			
None			
<b>DECREASES TO PROJECT RESERVE FUND</b>			
Steam/Condensate Pipe Replacement	(20,000.00)	Amount needed to award contract	8.8%
<b>ENDING BALANCE</b>	<b>\$125,185.88</b>		

## Current Delegated Projects List 06/23/04

Project Number	Project Name	Phase	Project Budget
<b>CAPITAL DEVELOPMENT/IMPROVEMENT</b>			
8-81065	Guard Rails/Hand Rails	Construction	\$250,000
8-81081	Fume Hoods Biology/Natural Resources	Partial Completion/Design	905,000
8-81132	Transformer/High Voltage Distribution Line/Water System (2001 Utility Upgrade)	Partial Completion	990,000
8-81083	Campus Air Conditioning Phase II	Substantial Completion	500,035
8-80338	Bookstore Renovation (North and South)	Substantial Completion	1,979,476
8-80409	Housing Fire and Life Safety Improvements	Partial Completion/Design	2,500,287 *
8-81100	Veterinary Science Electrical/Mechanical Upgrade	Substantial Completion	388,174
8-81134	Fine Arts Visual Fire Alarm/Generator Upgrade	Substantial Completion	194,732
	Campus Safety Lighting 2	Pending	50,000
	Electrical Cabling from North Sub-Station	Pending	200,000
8-80527	Campus Fiber Optic Enhancements	Substantial Completion	800,000
8-81133	Water Tank Retrofit/Stabilize Reservoir	Partial Completion/Construction	183,000
8-81136	Water Lab Fire Alarm Upgrade	Substantial Completion	116,266
8-81090	Cogeneration/Chilled Water	Construction	14,709,960 *
8-81101	Athletic Locker Room/Office Facility	Design	1,374,970
8-81096	Lab Animal Research Center Addition	Substantial Completion	297,691
8-81105	Water Lab Fire Damage Repairs	Construction	698,518
8-81009	Technical Support Services Renovation	Design	691,937
8-81140	Tunnel Extension - Edith Bowen Area	Construction	1,000,000
8-81107	Central Plant Chiller Addition (Natural Resources & Spectrum)	Construction	2,038,698
8-81141	Buried Natural Gas Pipe Replacement	Partial Completion/Construction	100,000
8-81143	Steam/Condensate Pipe Replacement	Construction	320,000
8-81138	Nutrition & Food Science Fire Alarm Upgrade	Substantial Completion	123,163
8-81137	Lundberg Fire Escape	Design	50,000
8-81139	New Well	Study	350,000
8-81019	Veterinary Science Fire Pumps/Generator	Design	350,000
8-80530	Inside Wiring Phase I	Construction	1,675,000
8-81145	CPD Fire Alarm Upgrade	Design	165,841
8-81108	Recital Hall	Construction	10,118,528 *
8-80346	University Inn Renovation	Construction	716,224
	Brigham City Campus Remodel	Pending	450,000 *
8-81142	Romney Stadium Turf	Construction	750,000

8-81109	HPER Upgrades (Floors, A/C, Locks, Fire Alarms)	Construction	1,040,719
8-81013	Lund Hall Chiller Replacement	Substantial Completion	79,382
8-81021	Central Energy Plant Electrical Upgrade	Construction	350,000
8-81022	Central Energy Plant Chillers	Construction	600,000
8-81023	Art Barn Electrical Upgrade	Design	20,000
	Agricultural Science Electrical Upgrade (NEW PROJECT)	Pending	100,000
	Science Engineering Research Utility Corridor (NEW PROJECT)	Pending	1,000,000
	Campus Safety Lighting 3 (NEW PROJECT)	Pending	250,000
	Education Overhead Fire Doors Replacement (NEW PROJECT)	Pending	80,000
	Veterinary Science Fume Hood Upgrades (NEW PROJECT)	Pending	500,000
8-81016	Nelson Fieldhouse Mezzanine	Construction	617,042
8-80321	Spectrum Floor Replacement (NEW PROJECT)	Construction	86,029
<b>LIFE SAFETY (STATEWIDE)</b>			
8-81058	Ag Science Elevator/Communications	Construction	126,523
<b>PAVING (STATEWIDE)</b>			
8-81114	Motor Pool South/Public Safety	Substantial Completion	318,704
8-81114	Slurry Seal at Various Lots	Partial Design	46,000
8-81114	A-6 Parking Lot Overlay (Originally North Shuttle Bus Turnaround)	Substantial Completion	95,000
8-81114	A-2 Parking Lot Overlay	Pending	60,000
8-81114	900 East Rebuild (NEW PROJECT)	Pending	64,600
<b>ROOFING (STATEWIDE)</b>			
8-81008	Miscellaneous Roofing	Pending	43,539
<b>ENERGY &amp; WATER CONSERVATION (STATEWIDE)</b>			
8-81088	UWRL Lighting/Occupancy	In-house Installation	112,000
8-81144	Insulate Condensate Lines	Partial Construction	200,000
<b>TOTAL (53)</b>			<u>\$50,827,038</u>

\* Project management delegated to USU.



**Olene S. Walker**  
Governor

# Utah State Building Board

4110 State Office Building  
Salt Lake City, Utah 84114  
Phone (801) 538-3018  
Fax (801) 538-3267

## MEMORANDUM

To: Utah State Building Board  
From: F. Keith Stepan  
Date: July 14, 2004  
Subject: **Administrative Reports for DFCM**

---

The following is a summary of the administrative reports for DFCM.

### **Lease Report** (Page 1)

No significant Items.

### **Architect/Engineering Agreements Awarded, 18 Agreements Issued** (Page 2 - 3)

No significant Items.

### **Construction Contracts Awarded, 39 Contracts Issued** (Pages 4 - 6)

Item 1, Snow College Activity Center Addition/Remodel

This is a CM/GC agreement, with the initial agreement only including preconstruction services. The balance of the construction costs will be added by change order.

Item 2, Dixie State College 100 South Roadway Improvements

The costs over budget were split evenly between Dixie State College and the DFCM Project Reserve Fund to, award the construction contract.

Item 18, Tax Commission Building ADA Door Opener Improvements

This contract was awarded to the 2<sup>nd</sup> low bidder based on a longer warranty period. The agency is paying the higher cost.

Item 27, Fort Douglas Museum Restrooms Remodel

This was handled as an invitational bid procurement, however all bids were over the maximum allowed for this process. Director Stepan waived the advertising, bond, and the maximum amount requirements, to award the construction contract.

### **Report of Contingency Reserve Fund** (Page 7)

#### Increases

No significant Items.

#### Decreases, New Construction

New Archives Building

This transfer covers change order #2 for differing site conditions on rerouting utilities, and an increase to accommodate fast track structural changes.

Decreases, New Construction Continued

Dixie State College Dolores Dore Eccles Fine Arts Center

This transfer covers change orders #16 and #20. Change Order #20 is for an omission on the fountain that would eventually cause malfunctions and other problems. Change Order #16 is a decrease adjustment to an earlier change order.

Decreases, Remodeling

SUU Centrum Floor Replacement

This is the State's share of change order #2 to repair the original installation of the new floor. The contractor and manufacturer are also contributing to these costs.

**Report of Project Reserve Fund Activity** (Page 8)

Increases

These items reflect savings on projects that were transferred to Project Reserve per statute.

Decreases

No decreases

**Statewide Planning Fund** (Page 9)

No changes.

**Emergency Fund Report** (Page 10)

This cost is to cover the replacement of a VFD and a motor that were damaged due to a power problem created by a storm, at the Cannon Health Building.

FKS:DDW:sl

Attachment

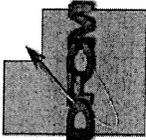
# DFCM

Division of Facilities Construction and Management  
 4110 State Office Building, Salt Lake City, UT 84114  
 Telephone (801) 538-3018 FAX (801) 538-3267

## LEASE REPORT From 5/13/2004 to 6/18/2004

No	Agency/Location	Services	Space Type	Lease Term	Square Feet		Cost/Sq. Ft.		Comment
					Old	New	Old	New	
1.	Administrative Services, DFCM, Salt Lake City	Net	Parking	1 Yr.	1,650	1,650	\$ 3.03	\$ 3.03	Renewal, no change.
2.	Education Rehabilitation, Delta	Full	Office	5 Yrs.	1,360	1,360	\$ 7.20	\$ 7.56	Renewal, increase to market.
3.	Tax Commission Administration, Ogden	Full	Office	5 Yrs.	7,800	7,800	\$12.00	\$14.75	Renewal, increase to market.

### AMENDMENTS



# Division of Facilities Construction and Management

4110 State Office Building Salt Lake City, UT 84114

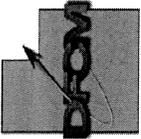
## Professional Contracts Awarded From 5/14/2004 To 6/24/2004

### Design

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
1 SNOW	FAMILY LIFE BUILDING HVAC UPGRADES	WHW ENGINEERING INC	DESIGN	\$11,560.00	\$11,560.00
2 NG	NATL GUARD CAMP WMS NEW JLTC BLDG #1 DESIGN	JSA ARCHITECTS, LLC	DESIGN	\$39,000.00	\$38,675.00
3 HEALTH	MEDICAL EXAMINER HVAC SYSTEM UPGRADE DESIGN	WHW ENGINEERING INC	DESIGN	\$40,823.00	\$45,690.00
4 DIXIE	DIXIE NO INSTR BLDG ADA/CODE IMPROVEMENTS PHASE II DESIGN	CAMPBELL & ASSOCIATES	DESIGN	\$6,900.00	\$6,900.00
5 DRAPR FAC	DRAPER PRISON SSD DORMS ROOFING IMPROVEMENTS DESIGN	SCOTT P EVANS ARCHITECT&ASSOC	DESIGN	\$21,000.00	\$21,000.00
6 SNOW	FERN YOUNG BUILDING REMODEL	JSA ARCHITECTS, LLC	DESIGN	\$9,180.00	\$9,180.00
7 UU	UU HPER BLDGS #90-#92 ROOFING IMPRVMTS DESIGN	SCOTT P EVANS ARCHITECT&ASSOC	DESIGN	\$48,000.00	\$39,000.00
8 DFCM	UDOT RAMPTON BLDG ROOFING IMPROVEMENTS DESIGN	PRIOR & ASSOCIATES	DESIGN	\$16,500.00	\$16,500.00

### Miscellaneous Services

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
9 WSU	WSU SOIL REMEDIATION/WALKWAY REPLACEMENT	ROWLAND CONSULTING INC	HAZ MAT CONSULT	\$31,000.00	\$31,059.07
10 CAP PRESV	TERRA COTTA INSP & PHOTOGRAPHIC SERV-ST CAP RESTORATION PROJ	SHORT CONSULTING	UNCLASS CONSULT	\$70,500.00	\$70,415.00
11 O/WATC	OGDEN/WEBER ATC PRELIMINARY SOILS INVESTIGATION	IHI ENVIRONMENTAL	STUDY	\$6,000.00	\$5,955.00
12 CAP PRESV	SPACE PLANNING SERVICES - ST CAPITOL RESTORATION PROJECT	SHORT CONSULTING	UNCLASS CONSULT	\$10,000.00	\$10,000.00
13 DFCM	VARIOUS STATEWIDE FACILITY CONDITION & INFRASTRUCTURE ASSESSMENTS	ISES CORPORATION	UNCLASS CONSULT	\$283,000.00	\$227,410.00
14 DFCM	PROVO REGIONAL CENTER HAZMAT SURVEY/ASSESSMENT SVCS	IHI ENVIRONMENTAL	HAZ MAT CONSULT	\$16,000.00	\$15,693.75



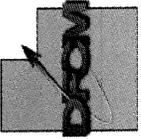
**Division of Facilities Construction and Management**

4110 State Office Building Salt Lake City, UT 84114

**Professional Contracts Awarded From 5/14/2004 To 6/24/2004**

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
15 TAX	TAX COMMISSION HAZMAT SURVEY/ASSESSMENT SVCS	IHI ENVIRONMENTAL	HAZ MAT CONSULT	\$16,500.00	\$16,231.75
16 SUU	SUU STRATFORD APARTMENTS ENVIRON MGMT/MIROBIOLOGICAL SAMPLING	IHI ENVIRONMENTAL	HAZ MAT CONSULT	\$6,500.00	\$6,444.97
17 UU	EMIGRATION VISITORS DISTRICT TRANSPORTATION STUDY	FEHR & PEERS ASSOCIATES INC	STUDY	\$50,000.00	\$47,956.00
18 NG	BRIGHAM CITY NATL GUARD ARMORY HAZMAT SURVEY/ASSESSMENT SVCS	STANTEC CONSULTING INC	HAZ MAT CONSULT	\$11,000.00	\$10,800.00

**End of Report**

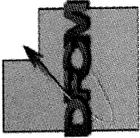


**Division of Facilities Construction and Management**  
4110 State Office Building Salt Lake City, UT 84114

**Construction Contracts Awarded From 5/14/2004 To 6/24/2004**

**Construction**

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
1 SNOW	Activities Center Addition And Remodel - Cm/Gc	Interior Construction Specialists Inc	Const Remodel	\$1,250,000.00	\$15,600.00
2 DIXIE	100 South Roadway Improvements	Trade West Construction Inc	Const Site Imp	\$520,459.00	\$562,251.00
3 NG	Nevada Avenue West Storm Drains - Camp Williams	Wade Payne Construction Inc	Const Site Imp	\$90,000.00	\$89,400.00
4 DFCM	Heber Wells 3rd Flr Conf Rm Remodel/Office Addition	Rueckert Construction Company	Const Remodel	\$10,000.00	\$9,465.00
5 COURTS	Orem Court 1st Flr Wall Covering Improvements	Professional Painting Inc	Const Remodel	\$8,000.00	\$7,701.96
6 DWS	Provo DWS Sprinkler System Improvements	Custom Sprinkler	Const Site Imp	\$16,188.00	\$16,198.00
7 DIXIE	Dixie Fine Arts Center Handrail/Guardrail Improvements	Forbes Welding And Fabrication Inc.	Const Remodel	\$6,000.00	\$5,180.00
8 DHS-OTHER	Clearfield East DHS HVAC Rooftop Package Units Replacement	On-Site HVAC Service	Const Remodel	\$20,000.00	\$18,608.00
9 DSBVI	Blind/Visually Impaired Kitchen Addition	Rueckert Construction Company	Const Remodel	\$19,000.00	\$18,835.00
10 DSBVI	State Library Chiller Compressor Replacement	Carrier Building Systems & Svc	Const Remodel	\$29,000.00	\$28,331.00
11 COURTS	Ogden 2nd District Court Canopy Project	Abco Construction	Const Remodel	\$50,000.00	\$45,217.00
12 WSU	Soil Remediation And Walkway Replacement	Jacobsen Construction	Const Remodel	\$209,160.00	\$192,100.00
13 BATC	Roofing And Drain Improvements	Island Heights Construction	Const Remodel	\$185,629.00	\$168,000.00
14 UU	Hedco Bldg Roofing & Seismic Improvements	Redd Roofing & Construction Co	Const Remodel	\$303,375.00	\$309,151.00

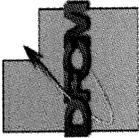


# Division of Facilities Construction and Management

4110 State Office Building Salt Lake City, UT 84114

## Construction Contracts Awarded From 5/14/2004 To 6/24/2004

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
15 DRAPR FAC	Installation Of Waste Grinder & Extruder - Draper Prison	Counterpoint Construction Co Inc	Const Remodel	\$350,000.00	\$326,500.00
16 DOPL	Heber Wells 2nd Flr Mechanical System Upgrade	Ralph Tye & Sons Inc	Const Remodel	\$10,000.00	\$9,451.00
17 HEALTH	Emergency Generator-Health Lab, 44 Med Dr	Taylor Electric Inc.	Const Remodel	\$314,000.00	\$312,405.00
18 TAX	Tax Commission Ada Door Opener Improvements	Accent Automatics Inc	Const Remodel	\$12,000.00	\$11,250.00
19 FHS	Childrens Special Needs Clinic Fitness Ctr Shower Addition	Rueckert Construction Company	Const Remodel	\$35,093.00	\$35,093.00
20 PARKS	Soldier Hollow Golf Course Clubhouse Landscaping	Wasatch Tree Experts & Landscaping	Const Site Imp	\$11,000.00	\$10,515.00
21 DWS	Ogden South DWS Boiler Replacement	Boyd I. Hoskins Jr. & Son, Inc.	Const Remodel	\$27,000.00	\$26,900.00
22 YTH CORR	DYC Antelope Island Facility Remodel	Whitaker Custom Woodworking	Const Remodel	\$6,500.00	\$6,137.00
23 ABC	Ogden ABC Store #19 Tile Floor Improvements	Tony's Tile	Const Remodel	\$32,000.00	\$22,460.00
24 NG	Ft Douglas Museum Electrical Remodel	Alger Electric	Const Remodel	\$44,000.00	\$43,920.00
26 NG	Vernal Armory Restroom Remodel & Renovation	Spectrum Const Of Utah LLC	Const New Space	\$150,000.00	\$139,500.00
27 NG	Ft Douglas Museum Restrooms Remodel	Brubaker Construction Inc	Const Remodel	\$52,000.00	\$51,700.00
28 COURTS	Build Out Space-Courtroom & Judges Chambers-ogden Courts Bldg	Garff Construction Corp	Const Remodel	\$688,000.00	\$688,000.00
29 STORES	Install Cctv Systems - Various ABC Stores	Future Tech Inc	Const Remodel	\$120,000.00	\$119,593.00
30 TAX	Tax Commission Access Control Improvements	Wasatch Control Systems LLC	Const Remodel	\$9,000.00	\$8,977.00



**Division of Facilities Construction and Management**  
4110 State Office Building Salt Lake City, UT 84114

**Construction Contracts Awarded From 5/14/2004 To 6/24/2004**

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
31 CEU	Central Tunnel Replacement	Garff Construction Corp	Const Remodel	\$940,000.00	\$932,000.00
32 FAIR	Fairpark Multi-Purpose Bldg Fire Sprinkler Repair	Delta Fire Systems Inc	Const Remodel	\$18,030.00	\$18,218.00
33 DFCM	Brigham City Reg Ctr Retention Pond Fencing Improvements	Prestige West Rocky Mountain Fence	Const Site Imp	\$9,000.00	\$8,455.33
34 OFF-EDUC	Office Of Education Security Camera Improvements	Wasatch Control Systems LLC	Const Remodel	\$10,000.00	\$9,649.00
35 DFCM	Sob Rm 4110 Remodel For Attorney Alan Bachman	Ehp Construction Inc	Const Remodel	\$6,500.00	\$6,227.00
36 DRAPR FAC	Energy Performance Contract - Utah State Prison	Johnson Controls Inc	Const Remodel	\$5,026,112.00	\$5,026,112.00

**Miscellaneous Construction**

<u>Agency</u>	<u>Contract Name</u>	<u>Firm</u>	<u>Type</u>	<u>Budget</u>	<u>Contract Amt</u>
37 DFCM	Cedar City DHS Reroof Of Shingled Areas	Collins Roofing Inc	Roofing	\$7,500.00	\$7,418.00
38 DWS	Cedar City DWS Reroof Of Shingled Areas	Collins Roofing Inc	Roofing	\$13,000.00	\$12,624.00
39 SLCC	SLCC Jordan Campus Slurry Seal	Intermountain Slurry Seal	Paving	\$23,250.00	\$25,000.00

**End of Report**

# DFCM

Division of Construction and Management  
 4110 State Office Building Salt Lake City, UT 84144  
 Telephone (801) 538-3018 Fax (801) 538-3267

Jul-04

## REPORT OF CONTINGENCY RESERVE FUND

	PROJECT TITLE	GENERAL STATE FUNDS CURRENT TRANSFERS	TRANSPORTATION FUNDS CURRENT TRANSFERS	TOTAL TRANSFERS FROM CONTINGENCY	% TO CONSTR. BUDGET	PROJECT STATUS	% Complete
	<b>BEGINNING BALANCE</b>	6,321,447.40	45,085.81				
	<b>INCREASES TO CONTINGENCY RESERVE FUND</b>						
	<b>FUNDING</b>						
03222	Snow College Family Life Building HVAC Upgrade	11,804.00	-	0	0.00%	Design	0%
	<b>OTHER INCREASES</b>						
00253	Performing Arts Building	15,000.00	-	350,133	2.23%	Complete	100%
01270	Snow College Steam Line & Tunnel System Replacement	2,247.50	-	11,139	1.03%	Complete	100%
01275	UDOT Echo Maintenance Station Addition	-	1,500.00	44,375	11.29%	Complete	100%
03216	UNG Mt Pleasant Armory Boiler Replacement	1,278.56	-	0	0.00%	Construction	93%
	<b>DECREASES TO CONTINGENCY RESERVE FUND</b>						
	<b>NEW CONSTRUCTION</b>						
98188	Archives New Archive Building	(47,641.00)	-	47,641	0.42%	Construction	0%
00018	Dixie College Delores Dore Eccles Fine Arts Center	(20,057.00)	-	107,671	0.73%	Construction	89%
01276	UDOT Roosevelt Maintenance Complex Addition	-	(5,193.49)	5,393	0.93%	Design	0%
96165	UVSC Information Sciences Building	(2,258.79)	-	288,801	1.21%	Complete	100%
	<b>REMODELING</b>						
03091	SUU Centrum Floor Replacement	(31,000.00)	-	33,986	31.75%	Complete	100%
03235	UVSC Campus Freeze Prevention	(16,625.00)	-	0	0.00%	Pending	0%
03182	SLCC Redwood Campus Pedestrian Bridge	(6,196.00)	-	6,196	1.68%	Construction	0%
03079	Human Services USDC Willowcreek Bldg Remodel	(5,229.00)	-	121,631	9.97%	Construction	50%
03053	WSU Potable Water/Waste Line Replacement	(5,000.00)	-	6,531	1.11%	Construction	0%
98081	State Hospital State Hospital Medical/Surgical Bldg, Bottom Floor Remodel	(4,208.00)	-	22,859	4.17%	Closed	100%
02221	SLCC Secondary irrigation connection	(3,647.96)	-	433	0.11%	Construction	52%
03219	SLCC South City Campus Bleachers Upgrade	(3,280.00)	-	3,280	0.74%	Construction	0%
03065	UDOT Rampton H2O Expansion Tanks	(2,815.00)	-	0	0.00%	Construction	0%
03089	SLCC South City Campus Landscaping	(1,435.00)	-	1,435	0.26%	Construction	6%
03228	Courts Ogden Juvenile Cooling Tower Replacement	(635.69)	-	636	0.12%	Design	0%
03227	DATC HVAC Conv/Water Sys Replacement	(485.00)	-	3,769	1.29%	Design	0%
03237	ABC Store #34 Electrical Upgrade	(59.50)	-	60	0.52%	Pending	0%
03179	DWS Provo Access Elevator Install	(42.73)	-	37,347	15.99%	Construction	0%
	<b>TOTAL</b>	6,201,181.79	41,392.32				

# DFCM

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## REPORT OF PROJECT RESERVE FUNDS ACTIVITY

Jul-04 % of  
 Constr.

PROJECT TITLE	STATE FUNDS	DOT FUNDS	DESCRIPTION	Budget
<b><u>BEGINNING BALANCE</u></b>	<u>4,191,291</u>	<u>39,449</u>		
<b><u>INCREASES TO PROJECT RESERVE FUND:</u></b>				
ABC Store #21 Seismic & Mechanical Upgrade	32,400.00		Balance of Construction Budget	100.00%
Mt Pleasant Armory Boiler Replacement	483.00		Balance of Inspection & Insurance Budgets	0.59%
DATC Various Electrical Improvements	3.50		Project Residual	0.02%
Draper Prison Dental Operator Remodel	33,195.11		Project Residual	21.42%
DWS Vernal Restroom Accessibility Upgrade	3,967.00		Balance of Various Project Budgets	19.25%
<b><u>DECREASES TO PROJECT RESERVE FUND:</u></b>				
None				
<b><u>Ending Balance</u></b>	<u>4,261,340</u>	<u>39,449</u>		

# DFCM

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## STATEWIDE PLANNING FUND

\$350,000

Jul-04

INSTITUTION/ AGENCY	PROJECT NUMBER	PROJECT TITLE	AMOUNT
Southern Utah University	93177730	Shakespeare Expansion and Planning	5,950
Snow College	02273700	Master Plan	25,000
Dixie College/SLCC	03047640	Health Sciences Bldgs Programming	100,000

**PLANNING FUND UNENCUMBERED BALANCE**

**\$219,050**

# DFCM

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## EMERGENCY FUND REPORT

Jul-04

**BEGINNING BALANCE:**

\$102,124

**INCREASES TO EMERGENCY FUND:**

None

**DECREASES TO EMERGENCY FUND:**

Cannon Health Building Electrical Repairs

(5,416.00)

**ENDING BALANCE OF EMERGENCY FUND**

\$96,708