

STATE BUILDING COMMISSION

April 24, 2007
10:00 a.m.
New Education Building, Suite 450
Raleigh, NC
Teleconference

M I N U T E S

MEMBERS PRESENT BY TELEPHONE

Chairman Kevin MacNaughton, John Kirkland, Buren Williford, Steve Criscenzo, John Thompson, Terry Turner, Paul Boney, Lou Jurkowski, Ron Hinson

OTHERS PRESENT

Gordon Rutherford, Sid Stone (UNC); Susan Gentry (Department of Insurance); John Lail (Department of Health & Human Services); Dave Simpson (AGC Office); James McKay (Clark Nexsen); James Woodard, Diane Norris (Veterans Affairs); LeAnn Rhodes (Attorney General's Office); Greg Driver, Ryan Scruggs, Brenda Partin (State Construction Office)

1. CALL TO ORDER

Chairman Kevin MacNaughton called the meeting to order at 10:00 a.m.

ETHICS STATEMENT

Chairman MacNaughton read the State Government Ethics Act Statement. Steve Criscenzo recused from Agenda Item 4 (Selection of Design Firm–NC State Ports Authority–Annual Service Agreement for Environmental Engineering). Buren Williford recused from Agenda Item 3 (Selection of Design Firm–Department of Administration–Division of Veterans Affairs–New Skilled Nursing Facility for NC Veterans).

2. APPROVAL OF MINUTES

Ron Hinson made a motion to approve the minutes of the March 27, 2007, Commission meeting and the motion was seconded by Terry Turner. The minutes were approved as written.

3. SELECTION OF DESIGN FIRM – DEPARTMENT OF ADMINISTRATION

Division of Veterans Affairs
New Skilled Nursing Facilities for NC Veterans

The project, presented by Ryan Scruggs, was advertised in the Purchase Directory February 15, 2007 through March 1, 2007. Thirteen firms responded; six were interviewed. The Pre-selection Committee recommended the following firms in priority order.

#1	David R. Polston, Architect – Wilmington, NC
#2	RPA Design, PC – Charlotte, NC
#3	Clark Nexsen – Raleigh, NC

John Kirkland made a motion to approve the Committee's recommendation. The motion was seconded by John Thompson. Buren Williford recused from the vote. The selection was approved as recommended.

4. SELECTION OF DESIGN FIRM – NC STATE PORTS

Annual Service Agreement for Environmental Engineering

The project, presented by Ryan Scruggs, was advertised in the Purchase Directory on March 13, 2007. Twenty-six firms responded; none were interviewed. The Pre-selection Committee recommended the following firms in priority order.

- #1 Withers & Ravenel – Wilmington, NC
- #2 MACTEC Engineering and Consulting, Inc. – Wilmington, NC
- #3 Mid-Atlantic Associates, Inc. – Raleigh, NC

Ron Hinson made a motion to approve the Committee's recommendation. The motion was seconded by Paul Boney. Steve Criscenzo recused from the vote. The selection was approved as recommended

5. SELECTION OF DESIGN FIRM – DEPARTMENT OF HEALTH & HUMAN SERVICES

J. Iverson Riddle Development Center
Willow Cottage Renovation

The project, presented by John Lail, was advertised in the Purchase Directory January 5-22, 2007. Mr. Lail answered questions concerning the funding for Willow Cottage. Twelve firms responded; five were interviewed. The Pre-selection Committee recommended the following firms in priority order.

- #1 Rogers/Chenevert Architects, PC – Asheville, NC
- #2 CBSA Architects, Inc. – Hickory, NC
- #3 MBAJ Architects – Shelby, NC

6. SELECTION OF MULTIPLE DESIGN FIRMS – DEPARTMENT OF HEALTH & HUMAN SERVICES

Annual Service Agreements for Architecture, Civil Engineering, Electrical Engineering, and Mechanical Engineering.

Annual Architectural Service: The project, presented by John Lail, was advertised in the Purchase Directory March 12-23, 2007. Eighteen firms responded; none were interviewed. The Pre-selection Committee recommended the following firms in priority order.

- #1 Davenport Architecture+Design – Apex, NC
- #2 Design Development – Raleigh, NC

The following firms were recommended as alternates:

- #3 MHAworks – Durham, NC
- #4 The Wooten Company – Raleigh, NC

Annual Civil Engineering Service: The project, presented by John Lail, was advertised in the Purchase Directory March 12-23, 2007. Eleven firms responded; none were interviewed. The Pre-selection Committee recommended the following firms in priority order.

- #1 Matthern & Craig – Asheville, NC
- #2 Wetherill Engineering - Raleigh, NC

The following firms were recommended as alternates:

- #3 CH Engineering – Raleigh, NC
- #4 The Wooten Company - Raleigh, NC

Annual Electrical Service: The project, presented by John Lail, was advertised in the Purchase Directory March 12-23, 2007. Twenty-one firms responded; none were interviewed. The Pre-selection Committee recommended the following firms in priority order.

- #1 Brittain Engineering – Hickory, NC
- #2 Dibble & Pledger – Washington, NC
- #3 Sigma Engineered Solutions – Morrisville, NC

The following firms were recommended as alternates:

- #4 Progressive Design Collaborative – Raleigh, NC
- #5 Stanford White Associates – Raleigh, NC
- #6 Essential Systems Engineering, PA – Asheville, NC

Annual Mechanical Service: The project, presented by John Lail, was advertised in the Purchase Directory March 12-23, 2007. Twenty-six firms responded; none were interviewed. The Pre-selection Committee recommended the following firms in priority order.

- #1 Progressive Design Collaborative – Raleigh, NC
- #2 Reece, Nolan & McElrath – Waynesville, NC
- #3 Engineered Designs, Inc. – Raleigh, NC

The following firms were recommended as alternates:

- #4 Brittain Engineering, Inc. – Hickory, NC
- #5 I. E. S. Engineers – Chapel Hill, NC
- #6 Stanford White Associates – Raleigh, NC

Steve Criscenzo made a motion to approve the Committee's recommendations for Agenda Items 5 and 6. The motion was seconded by Lou Jurkowski. The selections were approved as recommended.

7. REPORTS – UNIVERSITY OF NORTH CAROLINA GENERAL ADMINISTRATION

- a. Designer Selections for Project Greater than \$2 Million
- b. Designer Selections for Projects Less than \$2 Million
- c. Open-end Designer Agreements
- d. Status of CM at Risk Projects Advertised after January 1, 2002
- e. Status of Original Nineteen CM at Risk Projects

Gordon Rutherford presented these reports. There was general discussion on CM at Risk.

8. INFORMATION

- a. Project Distribution
Greg Driver presented the report.
- b. Emergency Selections There were no emergency selections to present to the Commission.

Mr. Driver stated that a copy of House Bill 73 and Senate Bill 93 were included in members' information. Subsequent to the last meeting, he had also emailed members a list of construction items in the Legislature for consideration.

9. SUBCOMMITTEE ON LEGISLATIVE STUDY COMMISSION RECOMMENDATIONS

Chairman MacNaughton asked Steve Criscenzo to report on the subcommittee's meeting. Mr. Criscenzo stated that the primary focus of their meeting was to categorize the Study Commission's recommendations, with accountability being the major emphasis, and then to decide which recommendations to focus on. Recommendations 1, 4, 5, 6, and 3 were grouped as a single task. Recommendation 2 – Accountability was identified as a major task. Mr. Criscenzo stated that communication was another category; however, most of the recommendations in this area had already been done, or did not require Commission action. There was general discussion on what other group/agency should be represented on the subcommittee such as DOI, SCO, AIA, ACEC and the group looking at the State Contract issue. Steve Criscenzo said he hoped the subcommittee would be meeting again in two or three weeks.

The Commission talked briefly about HB 73 and SN 93, and additional positions for the Department of Insurance and the State Construction Office. Members expressed their opinions on the Commission's strategy for supporting the positions. Paul Boney was to follow-up on the status of the positions for the State Construction Office and report back to the Commission.

Chairman MacNaughton informed members that the group examining the state contract issue was headed up by Miriam Tripp. Mr. Criscenzo asked if there had been changes to the contract. Gordon

Rutherford responded that the group's actions did not represent changes to the design agreement, but a supplement to the design agreement. They identified what the deliverables were at each phase and moved some of the deliverables to earlier an earlier phase so it would force earlier decisions and address changes in compensation for that. Mr. Rutherford thought that the ACEC and AIA of NC had signed off on the changes, but he was not sure where it stood currently. Greg Driver responded that group members were to give their comments to Ms. Tripp by the first Friday in May and the group would be talking about them at their next meeting. Mr. Rutherford stated there were other issues the university group planned to look at such as CM at Risk.

Steve Criscenzo asked if the subcommittee should be looking at all the changes needed. Chairman MacNaughton felt they should try to incorporate all the needed changes. Greg Driver agreed. Mr. Criscenzo stated that the subcommittee probably needed a separate group to address the design contract issues. Chairman MacNaughton suggested the subcommittee prepare a spreadsheet detailing the categorized recommendations and who they recommended participate on each category. He encouraged members to review the listing and contact Steve Criscenzo if there were particular issues they wanted to be involved with.

Mr. Criscenzo stated that the timeline was of concern to him since the first reporting date was only twelve months away. He asked if the Commission's actions had to be completed by this date. Greg Driver responded that the Commission just had to report by that date what the status was. Mr. Criscenzo said he would be working on the spreadsheet and next subcommittee meeting and he would copy all Commission members on his communications to keep them abreast of the status.

Lou Jurkowski asked if the agenda item documentation for each meeting was going to be maintained on the website in case they needed to refer to it later. Greg Driver replied that the minutes for all meetings was maintained on State Construction's web site. Chairman MacNaughton recommended the Commission discuss this at the next meeting in Raleigh.

Dave Simpson addressed the Commission regarding the status of the Retainage bill. It is Senate Bill 1245 and is supported by Senator Jenkins. Hoping it will go to the Senate Commerce committee by Thursday (4/26). Mr. Simpson reported they were trying to do basically what the Study Commission had recommended. A meeting was scheduled for that afternoon and efforts were on-going to get the coalition there. Proponents of the bill are trying to have the policy of the State Construction Office and the UNC System to be five percent retainage up front, then none one-half through the job. Also supports early release for structural steel and other trades packages that are 100 percent complete up to fifty percent of the job. A lot of people are involved in this effort and they are trying to build as much consensus as they can. He stated that Lou Jurkowski had made suggestions and 99 percent of them were included in the bill. He thanked the State Construction Office and UNC for their assistance.

10. SCHEDULE NEXT MEETING

The next meeting was scheduled for May 22, 2007, at 10:00 a.m.

11. ADJOURNMENT

Ron Hinson made a motion to adjourn the meeting. The motion was seconded by Lou Jurkowski. Chairman MacNaughton adjourned the meeting at 11:05.