

STATE BUILDING COMMISSION MEETING

NEW EDUCATION BUILDING, SUITE 450, RALEIGH, NC

9:30 AM

July 26, 2022

MINUTES

MEMBERS PRESENT – Chair Zena Howard (SCO Conference Room), Vice Chair Katherine Lynn (SCO Conference Room), Ezequiel Acosta (MS Teams), Honorable Neville Hall (SCO Conference Room), and William P. Aceto (SCO Conference Room)

SCO STAFF PRESENT (SCO Conference Room) – Michael J. Shumsky (SCO Director), Vibha Goel, Michael Ali, Robert Talley, Will Johnson, LeaAnne Hahnel, Ralph Taylor, Ryan Scruggs, Shohreh Katoozian, Antoinette Lewis, and Golnoosh Shakibania.

OTHERS PRESENT (MS Teams) – Erin Lawrence (DNCR), David Bateman (DNCR), David Head (DNCR-Parks), James Mancari (NC Aquariums), Daniel Erickson (NCNG), Andrew Meier (DACS), Peter Veit (DHHS), Hanna Jordan (DOA), and Aaron Lumpe (SCO)

OTHERS PRESENT (SCO Conference Room) – Kyle Pittman (Dewberry Engineers)

OTHERS PRESENT (Teleconference) – Paul Hall, Kristen Osterlund

SPECIAL GUESTS (SCO Conference Room)- Elaine Marshall (NC Secretary of State), Pamela Cashwell (DOA), and Mark Edwards (DOA),

1. CALL TO ORDER AND ETHICS STATEMENT

Chair Zena Howard was present in the State Construction Office Conference Room.

Chair Zena Howard called the meeting to order at 9:35 AM and read the ethics statement.

2. SWEARING IN OF NEW MEMBERS

Honorable Neville Hall and William P. Aceto were sworn in as new members of the State Building Commission by Elaine Marshall, North Carolina Secretary of State.

3. APPROVAL OF MINUTES (June 14, 2022)

Vice Chair Katherine Lynn made a motion to approve April 26, 2022, Minutes. Bill Aceto seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

4. EMERGENCY DECLARATION LETTER

Michael J. Shumsky presented Three emergency declarations.

- Department of Transportation: Transportation Complex Old Art Museum Roof Replacement
- Department of Information Technology: Administration Building - Network Server Room Halon Tank Replacement and Eastern Data Center - Fire Suppression System Replacement.
- UNC Pembroke: North and Belk Halls Fire Pump Reinstallation. Mr. Shumsky referenced and concurred with a UNC System Office e-mail provided to UNC Pembroke clarifying that the UNC System Office has approved the request for declaring the project an emergency which acknowledges that the emergency exists and allows UNC Pembroke to proceed under the provisions made for emergency projects. The provisions for emergency projects do not provide an exemption for compliance with all applicable State Construction Office requirements, including plan review for code compliance and inspections. In general, an emergency project is exempt only from the designer selection process and publicly advertising for bids.

5. SELECTION OF DESIGN FIRM

Department of Public Safety

National Guard

North Wilkesboro Readiness Center - Renovation

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Wilkes County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Smith Sinnett Architecture, P.A. (Raleigh, NC)
2. WHN Architects, P.A. (Charlotte, NC)
3. Pond & Company (Columbia, SC)

Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

6. SELECTION OF DESIGN FIRM

Department of Health and Human Services

Caswell Developmental Center

Boiler Installation at Kendall Hall & Johnson Hall

Lenoir County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Sigma Engineered Solutions, P.C. (Raleigh, NC)
2. Progressive Design Collaborative, Ltd. (Raleigh, NC)
3. Atlantec Engineers, PA (Raleigh, NC)

Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

7. SELECTION OF DESIGN FIRM

Department of Health and Human Services

Black Mountain Neuro-Medical Treatment Center

Boiler Plant Upgrades

Buncombe County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. McKim & Creed, Inc. (Asheville, NC)
2. Devita & Associates, Inc. (Charlotte, NC)
3. McGill Associates, P.A. (Asheville, NC)

Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

8. SELECTION OF DESIGN FIRM

Department of Agriculture and Consumer Services

NC State Fairgrounds Campground Road Paving

Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. NV5 Engineers and Consultants, Inc. (Cary, NC)
2. SEPI Engineering & Construction, Inc. (Raleigh, NC)
3. KCI Associates of North Carolina, P. A. (Raleigh, NC)

Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion

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9. SELECTION OF DESIGN FIRM

Department of Agriculture and Consumer Services
Eaddy Building - Addition & Renovation
Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Hobbs Architects, P.A. (Pittsboro, NC)
2. The Walker Group Architecture Incorporated (New Bern, NC)
3. MHAworks, P.A. (Durham, NC)

Neville Hall made a motion to approve, and Vice Chair Katherine Lynn seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

10. SELECTION OF DESIGN FIRM

Department of Agriculture and Consumer Services
Butner Food Distribution Warehouse Addition
Granville County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. James Grady Architect, Inc. (Cary, NC)
2. The Walker Group Architecture Incorporated (New Bern, NC)
3. Lindsey Architecture, PC (Greensboro, NC)

Bill Aceto made a motion to approve, and Vice Chair Katherine Lynn seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

11. SELECTION OF DESIGN FIRM

Department of Natural and Cultural Resources
Parks and Recreation
Pisgah View State Park - Master Plan
Buncombe County and Haywood County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Equinox Environmental Consultation & Design, Inc. (Asheville, NC)
2. Timmons Group, Inc. (Raleigh, NC)
3. McGill Associates, P.A. (Asheville, NC)

Neville Hall made a motion to approve, and Bill Aceto seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

12. SELECTION OF DESIGN FIRM

Department of Natural and Cultural Resources
Tryon Palace - Douglas Complex Repairs
New Bern, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. The Walker Group Architecture Incorporated (New Bern, NC)
2. Raymond Engineering-Georgia, Inc. (Raleigh, NC)
3. David E. Gall, Architect, P.A. (Winston-Salem, NC)

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Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion

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0 = Abstain

13. SELECTION OF DESIGN FIRM

Department of Natural and Cultural Resources

NC Aquariums

Pine Knoll Shores Aquarium - Boardwalk / Deck Renovations

Carteret County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Bowman, Murray, Hemingway Architects, PC (Wilmington, NC)

2. Rivers & Associates, Inc. (Greenville, NC)

3. Forman Engineers, P.A. (d/b/a: Arendell Engineers) (Morehead City, NC)

Neville Hall made a motion to approve, and Vice Chair Katherine Lynn seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

14. SELECTION OF DESIGN FIRM

Department of Natural and Cultural Resources

NC Aquariums

Jennette's Pier - HVAC Renovations

Dare County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Bowman, Murray, Hemingway Architects, PC (Wilmington, NC)

2. Spring Stoops McCullen Engineering, PA (Durham, NC)

3. BL Companies (Charlotte, NC)

Bill Aceto made a motion to approve, and Neville Hall seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

15. SELECTION OF DESIGN FIRM

Department of Natural and Cultural Resources

NC Aquariums

Fort Fisher Aquarium - Low Slope Roof Replacement

New Hanover County, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. REI Engineers, Inc. (Wilmington, NC)

2. Atlas Engineering, Inc. (Raleigh, NC)

3. Bowman, Murray, Hemingway Architects, PC (Wilmington, NC)

Bill Aceto made a motion to approve, and Vice Chair Katherine Lynn seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

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0 = Abstain

16. SELECTION OF DESIGN FIRM

Department of Administration

New Education Building - Front Entrance Renovation

Raleigh, NC

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Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Walter, Robbs, Callahan & Pierce-Architects, P.A. (Winston-Salem, NC)
2. James Grady Architect, Inc. (Cary, NC)

Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

17. SELECTION OF DESIGN FIRM

Department of Administration

Museum of History Building Controls Replacement

Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Wiley & Wilson, Inc. (Raleigh, NC)
2. Progressive Design Collaborative, Ltd. (Raleigh, NC)

Neville Hall made a motion to approve, and Bill Aceto seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

18. SELECTION OF DESIGN FIRM

Department of Administration

Labor Building - Window Replacement

Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. James Grady Architect, Inc. (Cary, NC)
2. RND Architects, P.A. (Durham, NC)
3. Osterlund Architects, PLLC (Raleigh, NC)

Bill Aceto made a motion to approve, and Vice Chair Katherine Lynn seconded the motion.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain

19. SELECTION OF DESIGN FIRM

Department of Administration

Parking Deck 65 - Safety Repairs

Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. Sigma Engineered Solutions, P.C. (Raleigh, NC)
2. Progressive Design Collaborative, Ltd. (Raleigh, NC)
3. Atlantec Engineers, PA (Raleigh, NC)

Vice Chair Katherine Lynn made a motion to approve, and Neville Hall seconded the motion

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

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20. SELECTION OF DESIGN FIRM

Department of Administration

Downtown Government Complex - Elevator and Escalator Safety Upgrades (Phase One)

Raleigh, NC

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Ryan Scruggs presented the project. The following firms were recommended in priority order:

1. RND Architects, P.A. (Durham, NC)
2. MHAworks, P.A. (Durham, NC)

Vice Chair Katherine Lynn made a motion to approve, and Bill Aceto seconded the motion

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

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21. INNOVATIONS SUBCOMMITTEE UPDATE

The next Innovation subcommittee meeting is scheduled for Tuesday, August 9th.

Michael Ali provided updates on Design-Build and Construction Manager at Risk:

Design-Build

The subcommittee met on Thursday, July 14 in which we discussed the General Conditions of the Contract, Form OC-15DB. The following was accomplished:

- Blair Bordeaux and Arron Lumpe spoke about Article 34 – Minimum Insurance Requirements, comparing our current limits with those more commonly encountered in the industry.
- New insurance types and limits were proposed. Attorney General's Office will vet soon.
- Michael Ali and Ryan Strickland reviewed and proposed edits for the rest of Form OC-15DB. This was distributed to the rest of the subcommittee and will be discussed at a Design-Build meeting next week.

Construction Manager at Risk

The subcommittee meets on Monday, August 1st. The following topics will be discussed:

- Stored Materials were discussed at the last Innovations Committee meeting. We may take a deeper dive into that topic.
- Ryan Strickland distributed a working General Conditions of the Contract, Form OC-15CMR document containing all proposed edits from the subcommittee. We will discuss but will not finalize this effort until after Form OC-15DB is complete.

22. OLD BUSINESS

None.

23. NEW BUSINESS

-SB 871 / HB 661 - Capital Oversight Changes / NC Community Colleges

Michael Shumsky stated that HB 661 was signed by the Governor on July 8, 2022. Mr. Shumsky noted for information purposes only the three statutory changes included in HB 661:

- Under **N.C.G.S. 115D-9 (Powers of State Board regarding certain fee negotiations, contracts, and capital improvements)**, removes the required approval of the State Building Commission and Director of Budget of guidelines adopted by the State Board of Community Colleges delegating authority over a capital improvement project (Item c).
- Under **N.C.G.S. 115D-9 (Powers of State Board regarding certain fee negotiations, contracts, and capital improvements)**, removes the annual reporting obligation of the Community Colleges System Office for projects having an estimated required expenditure of <\$2 million (Item h).
- Under **N.C.G.S. 143-341 (Powers and duties of the Department)**, the NC Department of Administration (DOA) is not required to review and approve plans and specifications for capital improvement projects costing < \$2 million that are delegated to a community college unless it has received a written request to do so from the State Board of Community Colleges.

24. STATE CONSTRUCTION OFFICE REPORT

Mr. Shumsky, PE provided the following updates:

The state construction office currently has five posted positions.

House Bill 103 (state budget) in SECT 40.7, there was a \$250 million non-recurring amount for cost escalation on capital projects across all agencies with two stipulations: (1) *The agency has significantly reduced the scope of the project since the project was authorized by an act of the NCGA;* (2) *The agency provides (i) evidence of the reduction of scope and (ii)*

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documentation supporting increased costs associated with supply chain or inflationary pressures. Agency shall submit the information required in writing to the Joint Legislative Oversight Committee on Capital Improvements and the Fiscal Research Division. The JLOC on Capital Improvements may make recommendations on the use of funds in the Capital Project Inflationary Reserve to the chairs of the House Appropriations Committee and Chairs of the Senate Appropriations/Base Budget Committee.

Public Private Partnership (P3) - DHHS Campus (Phases 2 and 3)

William Johnson, RA provided an update:

On July 13th, SCO received six qualified and timely submittal packages from the developer team. Evaluation committee has been established and is in the process of reviewing said proposals now.

Vibha Goel, RA provided updates for the Design Review Section: Design Review has received 1,674 projects, and 113 Exemptions, as of Tuesday, July 26.

Robert Tally, PE is participating in designer-selection interviews for capital projects assigned to the Department of Administration.

25. SCHEDULED NEXT MEETING

- August 30, 2022
- September 27, 2022
- October 25, 2022

26. ADJOURNMENT

Bill Aceto made a motion to adjourn. Neville Hall seconded the motion.

Chair Zena Howard adjourned the meeting at 10:15 AM.

5 = AYE Votes (Chair Zena Howard, Vice Chair Katherine Lynn, Ezequiel Acosta, Neville Hall, and Bill Aceto)

0 = NAY Votes

0 = Abstain