

NDSCS, September 15, 2011-SBHE

Authorize NDSCS to proceed with the \$1,200,000 renovation of the NDSCS Football Complex to be funded not less than \$250,000 from private funds, up to \$910,000 from auxiliaries and a contribution of \$40,000 from bookstore partner (Validis); furthermore, authorize NDSCS to proceed to the Budget Section for a change in project funding source per NDCC 48-01.2-25.

Project Description

The Football complex renovation would include; new locker rooms, coaches offices, a training room and storage rooms, public restrooms, concession stand, booster club and a retail store. Also included is the renovation of front of stadium entrance.

The current locker rooms have moisture and mold issues due to deterioration of the original roofs. This moisture has begun to cause structural damage to the roof support beams as well. There is inadequate coach's offices and insufficient storage space located in this complex. There is also no training room located in this area. The restrooms do not meet current ADA standards. Moisture is penetrating through the cracks in the joints and affecting the inside of the entire complex. The concession area, booster room and retail store spaces are dated and inadequate and will be updated.

Consistency with Campus Facility Master Plan and Budget

This concern and project was discussed in our current Campus Facility Master Plan

SBHE and/or Legislative History

The complex is thirty-nine years old and is well past its prime. The Football Stadium and Track were replaced during 2007-09 Biennium.

SB1003 (2011) authorized \$1.5 million in private fund sources for the football complex.

Permission was sought from the SBHE and granted to proceed with \$1.5 million fundraising efforts related to this project in November 2010. At that time, it was anticipated that the \$1.5 million project would be fully funded by private sources; however, due to deterioration of the facility the renovation must proceed now, before all private funds can be raised.

Estimated Total Purchased or Donated Costs

Planning, Permits and Insurance (design and preplanning costs, architect and engineer fees, permits, insurance, commissioning)	\$85,000
Land/Building Preparation and Purchase or Donated Costs (site survey and soil testing)	\$5,000
Demolition and Disposal	\$75,000
Construction (foundation and building construction, infrastructure and utilities, mechanical and electrical)	\$855,000
Furniture and Equipment (fixed or movable appliances, furniture and equipment)	\$50,000
Other third party costs	\$0
Institutional work (value of work completed by institution staff and billed to the project)	\$0
Contingency	\$80,000
Hazardous Material Abatement	\$50,000
Other (please describe)	\$0
TOTAL	\$1,200,000

No other work, other than that specified within this request, is required for the completion of the project nor is other work planned to supplement this project using funding or authority not included within this request.

Future Operating/Improvement Costs and Funding Sources

This complex is operated on local funds

Source and Availability of Funds

The costs will be covered as follows:

Private funds-cash on hand	(not less than) \$250,000
Vendor contribution	40,000
Auxiliary Reserves from dining services and bookstore	(not to exceed) 910,000
{current reserve balances: dining \$1.9 million and bookstore \$1.375 million}	

If NDSCS can generate additional private funds for the project prior to completion, the funding from auxiliary reserves will be reduced.

Estimated Project Timeline and Completion Date

Project is slated to begin design work fall of 2011 and completion of project by December 2012.

University of North Dakota November 17, 2011

Authorize increase of \$10,000 from \$11,200,000 to \$11,210,000 for UND Education Building Addition and Renovation to complete close-out and warranty support work, utilizing up to \$10,000 in gift funds; furthermore, authorize UND to seek interim budget section approval of change per NDCC 48-01.2-25.

Project Description: The University of North Dakota has completed work on the Education Building Addition and Renovation using American Recovery and Reinvestment Act (ARRA) funds appropriated for this purpose by the 2009 legislative assembly. ARRA funds are distributed as a Federal grant, with the grant funding terminated effective October 1, 2011. Thus, UND can no longer utilize ARRA funds to cover the UND recharge center costs for miscellaneous close-out and warranty support work, and must use another source of funds. UND has traditionally included the sundry costs for managing the follow up warranty work and miscellaneous start-up efforts as part of the capital project costs. It is estimated that the cost would not exceed \$10,000.

The University of North Dakota anticipates that, in the future, it will no longer capitalize the costs related to facilitating warranty repairs or other sundry efforts after the project is substantially complete and accepted by the University for its intended purpose. Such costs are more appropriately considered maintenance efforts and should be included as part of the anticipated maintenance costs that rise from the project. Although the change would be appropriate at this time, the University instead seeks additional authorization to ascertain no attempt is being made to avoid policy or statute.

Consistency with Campus Facility Master Plan and Budget: This project remains consistent with the master plan goals and budget established for this project and approved by the SBHE, Governor, and legislative assembly.

SBHE and/or Legislative History: This project was requested for inclusion in the Governor's budget by the SBHE during its June 2008 meeting. It was subsequently included within the SBHE appropriations bill during the 2009 legislative session. Additional authorization of \$1,400,000 to purchase furniture / equipment using a combination of funds was approved by SBHE during its February 2010 meeting and subsequently approved by the interim budget section during its March 2010 meeting.

Estimated Total Purchased or Donated Costs: \$10,000

Planning, Permits and Insurance (design and preplanning costs, architect and engineer fees, permits, insurance, commissioning)	\$0
Land/Building Preparation and Purchase or Donated Costs (site survey and soil testing)	\$0
Demolition and Disposal	\$0
Construction (foundation and building construction, infrastructure and utilities, mechanical and electrical)	\$0

Furniture and Equipment (fixed or movable appliances, furniture and equipment)	\$0
Other third-party costs	\$0
Institutional work (value of work completed by institution staff and billed to the project)	\$10,000
Contingency	\$0
Hazardous Material Abatement	\$0
Other	\$0
TOTAL	\$10,000

No other work, other than that specified within this request, is required for the completion of the project nor is other work planned to supplement this project using funding or authority not included within this request.

Future Operating/Improvement Costs and Funding Sources: No change in costs for operating or future improvement will occur as a result of this project request.

Source and Availability of Funds: All funds for this project are from gift funds from this project currently on hand at UND.

Estimated Project Timeline and Completion Date: Project will be completed within 12 months of substantial completion: August 2011.

Williston State College, November 17th, 2011 - SBHE

Williston State College requests authorization for a change in project scope from completion of Phases I and II of the campus branding project at an estimated cost of \$3.0 million to completion of Phase I only at a cost not to exceed \$1.8 million to be paid from \$1.0 million in permanent oil tax trust funds and \$800,000 from donations and grants; further, seek Budget Section approval for change in project scope per NDCC 48-01.2-25.

Project Description

This project includes campus improvements at Williston State College. This work shall include, but not be limited to, new parking surfaces, improved sidewalks and site circulation, landscaping, storm sewer updates, improved lighting, new driveways access points, demolition and re-construction of a storage facility, and the moving of a maintenance shop. The reduction in project scope results in work being done only in the "backyard" of campus (between Stevens Hall, the Crighton building, and Western Star Career and Technical Center). The project will no longer include activity in the "front" of campus (between Stevens Hall and Frontier Hall), as planned in the original Phase I and II proposal.

WSC worked with JLG Architects to design an overall rework of its current front entrance and rear entrance parking. The overall project is 7 phases with an estimated total cost of over \$4.8 million. The estimated costs for each phase are as follows:

Phase 1 & 2	\$1,500,000.00
Phase 3	\$ 429,175.34
Phase 4	\$ 629,159.87
Phase 5	\$ 523,044.83
Phase 6	\$ 966,700.02
Phase 7	\$ 603,525.18

*Working with JLG Architects, WSC broke its vision for its campus into 7 phases in order to make the overall project more feasible and to break the overall expense up over several years. Within JLG's cost estimates they have included a "contractor mobilization" cost estimate for each phase. The more phases WSC is able to do at one time, the more cost savings we will see within this line-item.

WSC has bid out a project to complete Phases I and II twice to date. The first round resulted in no companies bidding the project. The second round of bidding resulted in two companies with bids as follows:

Base Cost (excluding electrical):	\$1,859,000	\$2,118,900
Electrical Contractor Cost:	<u>\$ 330,000</u>	<u>\$ 300,000</u>
Base plus Electrical:	\$2,189,000	\$2,418,900
Cost of Alternates:	<u>\$511,000</u>	<u>\$723,000</u>
Total Cost of Project:	<u>\$2,700,000</u>	<u>\$3,141,900</u>

The lowest bid is 50% above what WSC has available to fund the project and 80% above what the college was authorized to spend by the legislature. The local economy's demand for services has caused a significant increase in costs for our other recent capital projects, and has caused us to either downsize the project (ex: Residence Hall, Career and Technical Center building) or request additional funding for completion (Science addition to Stevens Hall). We have chosen to request a reduction in the project's scope to respond to the increased cost of the project.

Consistency with Campus Master Plan and Budget

This project is in our current Master Plan and is the direct implementation of phases within the Master Plan.

SBHE and/or Legislative History

The 2011-13 Executive Budget recommendation included the following: "Authorizes \$1.0 million from the permanent oil tax trust fund with a required \$500,000 special fund match to repair and redesign multiple exterior areas to develop a more collegiate and professional atmosphere on the WSC campus." Funding as recommended was included in HB1003 (2011).

On June 16, 2011 the SBHE approved an increase in the project authorization from \$1.5 million to \$3.0 million to complete Phases I and II of the project, \$1.0 million from permanent oil tax trust fund and \$2.0 million from private foundation funds. The legislative budget section approved the same change on June 21, 2011.

Estimated Total Purchased or Donated Costs

The following costs are included within the \$1,800,000 request:

	Original \$3,000,000	Revised \$1,800,000
Planning, Permits and Insurance (design and preplanning costs, architect and engineer fees, permits, insurance, commissioning)	\$279,250.02	\$169,477.85
Land/Building Preparation and Purchase or Donated Costs (site survey and soil testing)		
Demolition and Disposal	\$252,422.24	\$178,919.93
Construction (foundation and building construction, infrastructure and utilities, mechanical and electrical)	\$2,002,986.84	\$1,175,598.68
Furniture and Equipment (fixed or movable appliances, furniture and equipment)		
Other third party costs (Contractor mobilization, Bond & Ins.)	\$232,670.45	\$129,001.77
Institutional work (value of work completed by institution staff and billed to the project)		\$18,000.00
Contingency	\$232,670.45	\$129,001.77
Hazardous Material Abatement		
Other		
TOTAL	\$3,000,000	\$1,800,000.00

No other work, other than that specified within this request, is required for the completion of the project nor is other work planned to supplement this project using funding or authority not included within this request.

Future Operating/Improvement Costs and Funding Sources

WSC does not foresee significant increases in operating costs as a result of this project as it is primarily exterior improvements to parking. A maintenance shop will be moved but the utilities will remain the same and a cold storage building will be demolished and a new building erected in its place, also with no impact on utilities. Lighting will be changed; however, there should be no significant change to the electricity needed as there is currently lighting in place in the current parking configuration.

Source and Availability of Funds

\$1,000,000 will be from the POTF and \$500,000 has been committed to date by the Williston State College Foundation. The remaining dollars are coming from a Williston Star Fund grant (\$178,000), the state Department of Transportation (\$50,000) and other sources yet to be identified (\$72,000, expected to be privately generated funds).

Estimated Project Timeline and Completion Date

WSC is anticipating construction to begin in April of 2012 with a completion date on or before August 2012.

NORTH DAKOTA STATE UNIVERSITY

November 17, 2011

REQUESTED ACTION: Request authorization to:

- 1) Contingent upon Centers of Excellence Commission approval of a budget modification request for the CBRP, apply for/accept funding for the “fit-up” of the **Center for Biopharmaceutical Research and Production (CBRP)** in the Batcheller Building at the NDSU Research and Technology Park (RTP) at an estimated cost of up to \$1,750,000;
- 2) Proceed with the project, upon approval and receipt of the cash matching funds from the Greater Fargo Moorhead Economic Development Corporation (GFMEDC) to Centers of Excellence Program in the amount of \$2,000,000; and
- 3) Seek Budget Section approval.

PROJECT DESCRIPTION:

The Batcheller Building is a newer building in the NDSU Research and Technology Park (RTP) that is privately owned and financed and was built by Batcheller Real Estate, LLC. It currently houses Materials and Nanotechnology (MNT) on the second floor. NDSU leases just over 17,000 sq. ft. on the first and second floors.

This request is to allow for the completion (fit-up) of the interior construction of approximately 8,500 sq. ft. of the building’s first floor. The finished space will represent a state-of-the-art facility for CBRP to perform economically significant and market-driven research and development of vaccines and other biopharmaceuticals that address unmet medical needs in commercially relevant areas. The facility will include laboratory space for CBRP’s research and visiting scientists’ teams, office space for 15 Center employees as well as visiting scientists and research assistants, and meeting space.

CBRP is partnering with several companies to carry out their product development at the Center. In addition, CBRP aims to work with university scientists at NDSU and other educational institutions throughout North Dakota to identify and help researchers translate their work to biopharmaceutical applications. Translational research will be a priority for the Center. The Center also has a work force development component and will offer courses and training in various aspects of vaccinology, drug development, and regulatory compliance for the biopharmaceutical industry.

CONSISTENCY WITH CAMPUS FACILITY MASTER PLAN AND BUDGET:

CBRP’s success is a top priority of NDSU, which views the Center to be an opportunity for meaningful and extensive entrepreneurial activities as well as a bridge for researchers to move their work to commercialization. The Center’s major goal of advancing economic development by developing biotechnologies and creating jobs in the Red River Valley aligns with NDSU’s vision for the campus and RTP. This construction project will be funded exclusively from CBRP partners.

SBHE AND/OR LEGISLATIVE HISTORY:

July 2010: Request authorization to apply for/accept funding for the “fit-up” of the **Materials and Nanotechnology Center** in a portion of the Appareo Building (Batcheller Building) located at the NDSU Research and Technology Park (RTP) and to proceed with the project, upon approval and receipt of federal funds, at an estimated cost of \$1,000,000.

As a Center of Excellence program since 2008, the legislature has approved \$5.015M in appropriations for CBRP to create a biotechnology industry hub in North Dakota by generating an interactive industry cluster involving integration of academic research, biotechnology companies, Contract Research Organizations, and venture funds. Center partners have already provided over \$4 million in reported match and have committed another \$4 million.

ESTIMATED TOTAL PURCHASED OR DONATED COSTS:

The following costs are included within the \$1,750,000 request:

Planning, Permits and Insurance (design and preplanning costs, architect and engineer fees, permits, insurance, commissioning)	\$ 90,000
Land/Building Preparation and Purchase or Donated Costs (site survey and soil testing)	\$ 0
Demolition and Disposal	\$ 0
Construction (foundation and building construction, infrastructure and utilities, mechanical and electrical)	\$ 1,025,000
Furniture and Equipment (fixed or movable appliances, furniture and equipment)	\$ 80,000
Specialized Research Equipment	\$ 400,000
Other third party costs	\$ 0
Institutional work (value of work completed by institution staff and billed to the project)	\$ 15,000
Contingency	\$ 140,000
Hazardous Material Abatement	\$ 0
Other (please describe)	\$ 0
TOTAL	\$ 1,750,000

SOURCES OF FUNDING:

The COE Program contains mandatory 2:1 match requirements, under 15-69-05(3). Now, of the \$2:\$1 match that a COE center must show, at least \$1 of the \$2 must be cash, and at least \$0.50 of that \$1 must be from the private sector. Non-cash match is also permitted, and may include in-kind assets with itemized value. For the CBRP 2 award of \$3,015,000 of COE dollars, they are required to have at least \$6,030,000 in match, of which at least \$1,507,500 must be cash from the private sector.

The Greater Fargo Moorhead Economic Development Center (GFMEDC) will provide a cash match of up to \$2,000,000 to fund 100% of the construction project with the remaining balance to be used for CBRP operating expenses.

Greater Fargo Moorhead Economic Development Center (GFMEDC)	\$2,000,000
Less estimated costs based on the above schedule	<u>-1,750,000</u>
Balance remaining for operating expenses	\$ 250,000

FUTURE OPERATING/IMPROVEMENT COSTS AND FUNDING SOURCES:

The CBRP will be responsible for all lease payments (and CAM charges) for this space along with operating and maintenance costs.

ESTIMATED PROJECT TIMELINE AND COMPLETION DATE:

For construction to start in January 2012 with an occupancy in the summer (June-August) of 2012

11/14/2011 4:45 PM

NORTH DAKOTA STATE UNIVERSITY

November 17, 2011

1. Authorize NDSU to proceed with completion of the Minard Hall at an estimated cost of \$22,874,300 to be funded with \$17.5 million in state general fund appropriation, \$500,000 gift funds, and \$4,874,300 future 2011-13 deficiency appropriation.
2. Grant NDSU authority to seek Budget Section approval for increased spending authorization for the Minard Hall from \$18 million to \$22,874,300, an increase of \$4,874,300, with the intent that up to this amount (less any recovered from insurance or legal action) be ultimately funded by a state general fund deficiency appropriation per NDCC 48-01.2-25.
3. Authorize NDSU to carry a deficit fund balance on the Minard Hall project as a temporary funding source after the original \$18,000,000 of appropriated authority has been expended, until a state general fund deficiency appropriation for NDSU is authorized during the 2013 legislative session.
4. Authorize NDSU to take any necessary action, including litigation, to seek recovery of damages, expenses and costs resulting from the collapse of Minard Hall, with any recovery being used to offset the ongoing costs of the Minard Hall project or, if the project is complete at the time of any recovery, to reimburse the State of North Dakota for the costs of the project to the extent that recovery dollars are available, following consultation with the Chancellor.

BACKGROUND INFORMATION

Minard Hall is the largest academic facility located in the historical district on NDSU's campus. The following departments have classrooms and offices in Minard Hall: Psychology, Mathematics, Communication, English, Modern Languages, History, Philosophy, Religion, Sociology, Anthropology, Emergency Management, English as a second language.

Minard Hall was built in three sections: 1902-south, 1918-center, and 1929-north. Academic departments located in the 1929-north section have been relocated to other areas across campus, due to the collapse. However, academic departments located in the 1902-south section have remained during the renovation/construction process.

The \$18,000,000 Minard Hall authorized renovation and addition project scope consists of roof and window replacements, utility and infrastructure (steam, water and sewer) work and relocation, asbestos abatement, interior redesign/remodeling, new space allocation, new west and north additions, and architect/engineering fees. Additionally, the project includes replacement of the HVAC system, general construction and electrical work to complete the project. As of December 27, 2009 the project scope also includes the collapsed north wall repair.

Authorized funding for the project is \$18,000,000: \$17,500,000 general funds and \$500,000 special/local funds.

PROJECT DESCRIPTION

Minard Hall experienced an unprecedented partial collapse of the north wall in the early morning hours of December 27, 2009. The building had been partially occupied during construction activities for the renovation; however, the building was unoccupied at the time of the collapse due to the Christmas holiday break. All construction was halted so that project activities could focus on preventing any further collapse, settling or additional failure to the building. Utility connections, temporary heat, air handling and electricity was reestablished; a security company was hired to prevent unauthorized access to unsafe areas and to prevent theft;

and a moving company was hired to help relocate faculty, offices and classrooms from Minard to other areas on campus.

During the same time period, the decision was made to not salvage the collapsed area building materials because of safety concerns. Demolition of this area could not take place unless shoring systems were designed and installed to prevent any further collapse. Access to faculty offices and classroom space in the collapsed area also needed to be addressed while the remainder of the building was evaluated for safety concerns. The challenge continued as the north end of the building became contaminated with asbestos material that required specialized cleaning and removal. (For additional information, please see the Minard Project Status Summary attachment.)

CONSISTENCY WITH CAMPUS FACILITY MASTER PLAN AND BUDGET

Minard Hall has been a part of the NDSU Campus Master Plan project requests to the SBHE and the State of North Dakota since before 2000.

SBHE AND/OR LEGISLATIVE HISTORY

<u>January 20, 2000</u>	Authorized North Dakota State University to obtain an architect to develop schematic design for the Minard Hall Renovation project for the purpose of establishing the project scope and a more accurate cost estimate. NDSU estimated not to expend more than \$62,500 for the preplanning phase. Source of funding listed as the preplanning revolving fund at OMB.
<u>June 15, 2000</u>	Ratified the action of the Vice Chancellor for Administrative Affairs in awarding the contract for Minard Hall Renovation – Phase I architectural services to Michael J. Burns Architects, Ltd. Total maximum compensation of reimbursable expenses of \$59,200. Source of funding for the schematic design phase was from the preplanning revolving fund at OMB. Project appeared on the NDUS 2001-2003 Campus Major Capital Projects SBHE Priority List as the number six priority under the State General Fund Projects in the amount of \$9,765,000 .
<u>September 21, 2000</u>	SBHE authorization to change project scope from a renovation project to a two-phased project (addition and renovation), to seek legislative authorization to construct an addition to Minard Hall as Phase I of renovation and to reduce the amount of the project from \$9,765,000 to \$4,845,100 .
<u>SB 2023, Section 5</u>	Project was incorporated into Governor Hoeven’s revised Executive Budget, included and approved by the 2001 legislature in SB 2023, Section 5 Bond Issuance – Purposes – Appropriation at an authorized budget level of \$3,000,000 .
<u>March 21, 2002</u>	Authorized North Dakota State University to issue and sell self-liquidating, tax-exempt bonds in an amount not to exceed \$3,000,000 for the purpose of financing the construction of a new addition to Minard Hall. Further authorized NDSU to appoint the firm of Arntson and Stewart, P.C. as the bond counsel and FWW Financial, Ltd. as the financial advisor. Also authorized the Chancellor to approve the issuance of the bonds at a proposed maximum average annual interest rate of 6.5%.
<u>August 22, 2002</u>	Budget Section authorization to increase the spending authority for the Minard Hall addition from \$3,000,000 to \$3,400,000 because bids came in higher than projected.
<u>September 26, 2002</u>	Ratification of the action of the Chancellor and Vice Chancellor for Administrative Affairs in permitting North Dakota State University to seek Budget Section authorization to increase the budget for the Minard Hall Addition from \$3,000,000 to \$3,400,000 and, also to award contracts for the project. Included in SB2023 and approved by the Budget Section August 22, 2002. Source of funding is from local funds (a combination of telecommunications, indirect costs, and auxiliary reserves – housing, bookstore, dining services).

<u>HB1003</u>	NDSU subsequently requested funding for the renovation in 2003-05, 2005-07, and 2007-09, receiving authorization for \$5,000,000 of the (then) estimated \$15,000,000 project during the 2007 legislative session. This amount included a required \$500,000 gift match by the University.
<u>June 19, 2008</u>	Phase III was listed as Priority #7 in the 2009-11 Major Capital Project List Approved by the SBHE in June 2008.
<u>SB2003 (2009)</u>	Project was included in SB2003 (2009) in the amount of \$13,000,000 in state general funds.
<u>May 14, 2009</u>	Approved the North Dakota State University request for authorization to proceed with the Minard Hall Renovation project – Phases I, II, and III in the amount of \$18,000,000 .
<u>December 16, 2010</u>	Approved the NDSU request to: expand the original scope of the project and timeline to include a redesign of the collapsed portion of building; redesign the Minard Hall North addition to relocate the mechanical space, which will need to be relocated from a planned basement space, which is no longer feasible due to soil conditions; allow collapse related expenses to be funded from general funds currently available for the project; administratively combine the three building phases into one project for project management purposes; and authorize NDSU to seek appropriate legislative authorization and funding to complete the project in the most appropriate manner.
<u>HB1003, Section 8</u>	SECTION 8. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL - BUDGET SECTION REPORT. North Dakota state university may use unspent funding from the \$5,000,000 appropriation received during the biennium beginning July 1, 2007, and ending June 30, 2009, and unspent funding from the \$13,000,000 appropriation received during the biennium beginning July 1, 2009, and ending June 30, 2011, for the Minard hall project, for the biennium beginning July 1, 2011, and ending June 30, 2013. North Dakota state university shall report to the budget section regarding the status of the Minard hall project and may request increased spending authorization from the budget section for the project.

ESTIMATED TOTAL PURCHASED OR DONATED COSTS

The following costs are included within the request:

Planning, Permits and Insurance (design and preplanning costs, architect and engineer fees, permits, insurance, commissioning)	\$ 323,978
Land/Building Preparation and Purchase or Donated Costs (site survey and soil testing)	\$ 92,150
Demolition and Disposal <i>Included in construction costs</i>	\$
Construction (foundation and building construction, infrastructure and utilities, mechanical and electrical)	\$ 2,303,896
Furniture and Equipment (fixed or movable appliances, furniture and equipment)	\$ 39,365
Other third party costs <i>Legal, forensic</i>	\$ 336,356
Institutional work (value of work completed by institution staff and billed to the project)	\$ 16,853
Contingency	\$ 1,270,000
Hazardous Material Abatement	\$ 333,037
Other (please describe) <i>Security, moving, departmental losses</i>	\$ 158,665
TOTAL	\$ 4,874,300

No other work, other than that specified within this request, is required for the completion of the project nor is other work planned to supplement this project using funding or authority not included within this request.

Future Operating/Improvement Costs and Funding Sources

This request is for the collapse portion of the project. Operating/improvement costs and funding sources would remain the same as in previous requests for the project.

Source and Availability of Funds

General Fund Appropriation	\$17,500,000
Gift funds received and in hand	\$500,000
Future 2001-13 deficiency appropriation	<u>\$4,874,300</u>
Total Estimated Cost	\$22,874,300

Estimated Project Timeline and Completion Date

Anticipated December 2012

11/10/2011 8:57 AM

North Dakota State University

Minard Hall Project Status Summary As of September 30, 2011

Overview

Minard Hall is the largest academic facility located in the historical district on NDSU's campus.

The following departments have classrooms and offices in Minard Hall: Psychology, Mathematics, Communication, English, Modern Languages, History, Philosophy, Religion, Sociology, Anthropology, Emergency Management, English as a second language.

Minard Hall was built in three sections: 1902-south, 1918-center, 1929-north. Academic departments located in the 1929-north section have been relocated to other areas across campus, due to the collapse. However, academic departments located in the 1902-south section have remained during the renovation/construction process.

The \$18M Minard Hall authorized renovation and addition project scope consists of roof and window replacements, utility and infrastructure (steam, water and sewer) work and relocation, asbestos abatement, interior redesign/remodeling, new space allocation, new west and north additions, and architect/engineering fees. Additionally, the project includes replacement of the HVAC system, general construction and electrical work to complete the project. As of December 27, 2009 the project scope also includes the collapsed north wall repair.

Authorized funding for the project is \$18M: \$17.5M general funds and \$0.5M special/local funds.

Project scope includes the following square footage:

- Renovation of existing sections-72,141
- Additions West and North-30,755
- Collapse-6,965 of existing section north wall

Consultants and Contractors on the project:

- Consultants –
 - JLG (architect – Lead of project)
 - NTI (geotechnical)
 - Martin Mech (mechanical)
 - Heyer (structural)
 - Land elements (landscape)
 - MBN (electrical)
- Contractors –
 - Grants Mechanical (Mech)
 - Meinecke-Johnson (Gen)
 - Bergstrom Elec (Elec)
 - Veit (shoring)
 - Earth developers (sub)

North Dakota State University

Minard Hall Project Status Summary As of September 30, 2011

Construction status report as of 9-30-2011:

Minard Hall experienced an unprecedented partial collapse of the north wall in the early morning hours of December 27, 2009. The building had been partially occupied during construction activities for the renovation; however, the building was unoccupied at the time of the collapse due to the Christmas holiday break. All construction was halted so that project activities could focus on preventing any further collapse, settling or additional failure to the building. Utility connections, temporary heat, air handling and electricity was reestablished; a security company was hired to prevent unauthorized access to unsafe areas and to prevent theft; and a moving company was hired to help relocate faculty, offices and classrooms from Minard to other areas on campus because NDSU was not staffed to handle this activity.

During the same time period, the decision was made not to salvage the collapsed area building materials because of safety concerns. Demolition of this area could not take place unless shoring systems were designed and installed to prevent any further collapse. Access to faculty offices and classroom space in the collapsed area also needed to be addressed while the remainder of the building was evaluated for safety concerns. The challenge continued as the north end of the building became contaminated with asbestos material that required specialized cleaning and removal.

Further testing and evaluations, demolition of the collapsed area, stabilization of the building and shoring of the roofs and flooring were continued over the next four to five months. Construction activities continued on the main project and the west addition progressed slowly because many of the resources were being focused on the collapsed area. While this work was occurring, plans were being developed to determine the cause of the collapse. All parties (contractors and sub-contractors) were given the opportunity to participate in the proposed forensic study. This allowed all parties an opportunity to review the same data and make field observations. All parties participating in the proposed forensic study hired experts to determine the testing needed for determining the footing failure.

In order for the review to occur, the collapsed portion of the building, excluding the footings and foundation, needed to be removed. During this removal, asbestos contaminated soils were discovered below the original building area that was collapsed. This area needed to be properly contained and removed before the last floor section could be removed.

Initial forensic testing was completed during July 12-15, 2010. Once completed, the second and final portion of the testing was to excavate the footing area and remove the failed material. All parties agreed an action plan should be developed to insure the soil conditions could handle excavating down to the footing level to expose the soils. The parties did not agree upon a plan until October 2010, and

North Dakota State University

Minard Hall Project Status Summary As of September 30, 2011

November 8th was set for the start of the deep excavation. No work could continue on the north addition or the collapsed area until this forensic testing was completed.

The original renovation project continued during this time. Temporary air conditioning was installed in classrooms during the summer of 2010 as the building was occupied while the renovation work was underway. Some soil data became available in October 2010, and concerns surfaced about a footing system for the collapsed area, along with concerns regarding the soil conditions at the north addition site. The project architect presented multiple recommendations for proceeding with the north addition and the replacement of the collapsed area. Concerns surfaced at this time about continuing with a basement plan for the addition, so budget pricing was solicited on available options for proceeding. At this point, NDSU had a recommendation regarding how to move forward with the project but needed guidance and approval from the SBHE.

At the December 16, 2010 SBHE meeting, NDSU was given approval for the following five items:

1. To expand the original scope of the project and timeline to include a redesign of the collapsed portion of building
2. To redesign the Minard Hall North addition to relocate the mechanical space, which will need to be relocated from a planned basement space, which is no longer feasible due to soil conditions
3. To allow collapse related expenses to be funded from general funds currently available for the project
4. To administratively combine the three building phases into one project for management purposes
5. To authorize NDSU to seek appropriate legislative authorization and funding to complete the project in the most appropriate manner

After obtaining the SBHE approval, the architects and consultants were directed to proceed with redesigning the north addition, removing the basement mechanical room and relocating that equipment to a 5th floor or penthouse. A revised design was completed for the north addition in mid-February 2011. The plan was approved and proposal requests were sent out to the contractors for pricing. At the same time, proposals were modified slightly for the collapsed area in order to tie in all connections and utilities to the revised plan. Proper documentation and supporting information for the pricing was received and approved change orders were created in April and May of 2011. Priorities at this time were to remove the loose sand fill in the basement area and to fill it in with a compacted engineered fill. Once this was completed, the collapsed structure and north addition footings could be started.

Locations logistics for the building occupants has been an ongoing consideration and concern. (To date, permanent locations are not available.) Therefore, the impetus was to complete the west addition and

North Dakota State University

Minard Hall Project Status Summary As of September 30, 2011

part of the 1918 and the 1929 construction zones so space would be available for the fall 2011 academic semester. Temporary life/safety systems, air conditioning and heating would need to be installed due to the 5th floor mechanical equipment not being installed until sometime in 2012. Due to a tight project timeline and because of space limitations, a moving company was hired to relocate the departments and to store any materials that were not necessary over the next 12 months. This task was completed in August 2011.

With the 1902 building and the remaining 1918 building now vacated, the next milestone was to remove the remaining known asbestos in these areas. This process began the first of September and will not be completed until the first week of November 2011. The work is being done by floor so that the other contractors can follow behind and complete the needed demolition.

The north addition footings and foundation walls were completed in October 2011 and steel frame installations are currently underway. Substantial completion of the project is expected December 2012.

North Dakota State University

Minard Hall Project Status Summary As of September 30, 2011

Financial status report as of 9-30-2011:

			Biennium	Local Match	State General Funds	
Legislative/Appropriation Authorization						
	Phase I & II		2007-09	\$ 500,000	\$ 4,500,000	\$ 5,000,000
	Phase III		2009-11		\$ 13,000,000	\$ 13,000,000
				Total Legislative Authorization		\$ 18,000,000
Expenditures as of 9/30/2011						\$ (12,507,864)
				Remaining Legislative Authorization		\$ 5,492,136
Outstanding Construction Commitments & Contingencies as of 9/30/2011						
	Construction Commitments					\$ 8,753,819
	Contingencies:					
	Construction					\$ 1,112,617
	Legal					\$ 500,000
	Total Outstanding Commitments & Contingencies					\$ 10,366,436
Increased amount of Legislative spending authorization requested by NDSU due to collapse						
						\$ 4,874,300

	Construction	Collapse	Total
Expenditures	\$ 10,609,197	\$ 1,898,667	\$ 12,507,864
Commitments	7,048,186	1,705,633	8,753,819
Contingencies:			
Construction	342,617	770,000	1,112,617
Legal	-	500,000	500,000
	\$ 18,000,000	\$ 4,874,300	\$ 22,874,300

North Dakota State University

Minard Hall Project Status Summary As of September 30, 2011

2011-13 HB1003

Section 8: North Dakota State University-Minard Hall-Budget Section Report

North Dakota State University may use unspent funding from the \$5,000,000 appropriation received during the biennium beginning July 1, 2007, and ending June 30, 2009, and unspent funding from the \$13,000,000 appropriation, received during the biennium beginning July 1, 2009, and ending June 30, 2011, for the Minard hall project, for the biennium beginning July 1, 2011 and ending June 30, 2013. North Dakota State University shall report to the budget section regarding the status of the Minard Hall project and may request increased spending authorization from the budget section for the project.

NDSU is requesting that the SBHE pass the following motions:

1. Authorize NDSU to proceed with completion of the Minard Hall at an estimated cost of \$22,874,300 to be funded with \$17.5 million in state general fund appropriation, \$500,000 gift funds, and \$4,874,300 future 2011-13 deficiency appropriation.
2. Grant NDSU authority to seek Budget Section approval for increased spending authorization for the Minard Hall from \$18 million to \$22,874,300, an increase of \$4,874,300, with the intent that up to this amount (less any recovered from insurance or legal action) be ultimately funded by a state general fund deficiency appropriation per NDCC 48-01.2-25.
3. Authorize NDSU to carry a deficit fund balance on the Minard Hall project as a temporary funding source after the original \$18,000,000 of appropriated authority has been expended, until a state general fund deficiency appropriation for NDSU is authorized during the 2013 legislative session.
4. Authorize NDSU to take any necessary action, including litigation, to seek recovery of damages, expenses and costs resulting from the collapse of Minard Hall, with any recovery being used to offset the ongoing costs of the Minard Hall project or, if the project is complete at the time of any recovery, to reimburse the State of North Dakota for the costs of the project to the extent that recovery dollars are available, following consultation with the Chancellor.