House Appropriations – Government Operations Division

SB 2011

Tuesday March 9, 2021 (testimony date)

1. **What is the threshold to kick-in ADA compliance?**
   - City of Bismarck has adopted both the 2018 IBC (International Building Code) and 2018 IEBC (International Existing Building Code).
   - The IEBC provides technical requirements for existing buildings that undergo different levels of alterations.
     a. Level I – includes replacement or covering of existing materials, elements, equipment or fixtures using new materials for the same purpose.
     b. Level II – includes space reconfiguration that could be up to and including 50 percent of the area of the building. (50% or less)
     c. Level III – includes alterations that cover 50 percent of the aggregate area of the building.
   - In both options 4A and 4B, there is a level beyond 50% of the aggregate floor area of the building being reconfigured and or altered, which would mandate updated building code throughout, including ADA compliance.

2. **Is that 50% of value or 50% of SF? What is the 50% of?**
   - 50% of the building floor area per the 2018 IEBC (International Existing Building Code)

3. **Is the LETA building grandfathered in?**
   - No

4. **Are we under legal obligation to make it ADA compliant?**
   - Yes, the ADA is within the current adopted building code. Any work done needs to be ADA compliant. See reference to 2018 IEBC, which is adopted by the City of Bismarck.

5. **Who owns the building?**
   - HP owns the building
   - Property is owned by: BSC, BSC Foundation, National Guard, Board of Higher Education

6. **Is it worth anything to anyone else?**
   - Yes – BSC could utilize this building on it's campus for current or additional programs.
   - At this time, no one has approached BSC in regards to this. There was an 49-year lease agreement that expired August 2018.

7. **The second floor – how many beds?**
   - Option #1 – each dormitory floor plate is equal to 48 private sleeping rooms/beds.

8. **Can we add up and put a second floor later?**
   - Yes we could. However, there are several items to consider when doing this:
     a. Need to make sure the base build is enough beds to accommodate the needs of the LETA program.

     b. The cost to increase the footings, foundations and structure to accommodate this would increase the cost of the initial/base build. If the second level is never built, this would be money wasted. It has been ICON's experience that the additional build does not happen down the road.

     c. If the second floor is added later, the first floor would need to be vacated during construction. This would be an additional cost incurred to relocate officers during construction. The roofing on the first level would need to be ripped off and discarded to build the second level at a later date, adding cost to the overall project. And, construction costs typically go up as years go by; so, by waiting, there will be an increased cost/sf for the second floor dormitory rooms.

     d. An option would be to build the 2-story dormitory (option #1) with the first floor finished and the second floor only an exterior shell with windows. This space could stay unoccupied until the LETA program needs it. And, since it would be non-structural construction when finishing, this could be done while the first floor remains occupied.

     e. Another option would be to build either the east or west wing as a 2-story dormitory with the other being a future build as needed. This would be the most economical way to approach a base build with future expansion. It accommodates a fully built dormitory without having to invest any money for future until it is needed. If the additional wing (east or west) is never built, there is open green space to accommodate the LETA program.

9. **Would the NDHP be purchasing the entire property on the east side of town (1 sq. mile)?**
   - No, NDHP would only buy what is needed – approximately 13-14 acres.

10. **Would like to see the scenario of the second floor vs. adding on later.**
    - See options listed above in item #8.

11. **Does the cost listed within the packet provided include cost of land?**
    - The cost of land ($2.1M for 13 acres) is included in the estimates. This was based upon the study done in 2015 and escalated costs to get to 2020 pricing. Infrastructure costs was included in the estimate as well.
    - Temporary facilities–housing for officers and staff for training, meals, training/classroom space, administrative space – not included in the costs presented.

Per conversation after the hearing. Col. Solberg, Major Hummel, Kyle Kvamme, Lee Pierce.

How long would Option 4A and/or 4B take to complete?

Estimated construction time 14-16 months.

Temporary facility estimated costs:

- **Offices/instructional space cost range = $125,788 - $154,816**
    a. Per Bismarck-Mandan EDC, commercial business rental property in our area is $13 - $16/sf. Typical lease has a 3-year minimum timeline.
    b. Existing offices/classroom/gymnasium training space = 9,676 sf
        i. Gymnasium = 5808 sf
        ii. Office = 1286 sf
        iii. Classroom = 2582 sf
- **Hotel cost range = $1,490,227.20 - $1,703,116.80** (based on full occupancy of 44 beds at extg. LETA facility)
    a. State rate for hotel lodging $86.40.
    b. Lodging needed to be provided for officers/instructors offsite:
        i. 44 officers/instructors x $86.40 = $3,801.60/night
        ii. 7 nights x $3,801.60 = $26,611.20/week
        iii. 4 weeks x $26,611.20 = $106,444.80/month
        iv. 14 - 16 months construction time x $106,444.80 = $1,490,227.20 – 1,703,116.80
- **Food cost range = ???**
    a. I was not sure if LETA provide a per diem for food for the officers/instructors when they are going through the program. But, I wanted you to be aware this would be another cost to add to temporary facilities.