

Minutes of the School Facilities Commission
Holiday Inn Express
Torrington, Wyoming
August 18, 2006

Chairman Marsh called the meeting to order at 2:55 p.m.

Present: Commissioner Algier, Commissioner Carrier, Commissioner Goodson, Fred Hansen representing Commissioner McBride and Chairman Marsh.

Approval of Meeting Agenda

Chairman Marsh removed Agenda Item A - Review and Analysis Account, Item C - Laramie 1 Request – Reallocations, added a Director’s Report before new business and added an Executive Session after Commissioner Comments. He also moved old business Item A – SFC Policy Regarding the Funding of Alternate Delivery Methods as the next item after Approval of Meeting Agenda.

Commissioner Carrier made a motion to approve the meeting agenda as amended. Commissioner Algier seconded the motion; motion passed unanimously.

Old Business

SFC Policy Regarding the Funding of Alternate Delivery Methods

Mr. Charlie Ware distributed a handout titled “Steps to Select a CMAR for School Construction in Wyoming” that was developed from conversation during a meeting in Cody in June, 2006. He provided an explanation of the information contained in the handout.

Mr. David Wells provided input regarding the handout. He stated he agreed with Mr. Ware regarding Section 2, G, however, this may not be a possibility based on the Wyoming Statute. He suggested adding the words “and accepted” after design is completed in Section 4. He also stated there may be issues with competitive bids in Section 5, B.

Commissioner Goodson directed the Commission to the statement in Tab G, Page 7 of the meeting packet “unless an alternate design and construction delivery method is used”. He questioned if this exempted the alternate construction delivery methods from the residence contractors preference.

Mr. Michael O’Donnell answered that this did not apply to alternative delivery methods.

Additional conversation was held regarding the policy and advisory for CMAR. The Commission suggested the following items be changed in the advisory which is labeled Steps to Select a CMAR for School Construction in Wyoming:

- Section 2, C – Add “the School Facilities Commission Project Manager will consult with this Committee”.
- Section 2, H – Add “The CMAR may require that” at the beginning of that sentence and remove the word “should”.
- Section 3, A – Add “In consultation with the SFC Project Manager” at the beginning of that sentence.
- Section 4 – Change sentence to read “Provide a Guaranteed Maximum Price (GMP) prior to commencement of construction. This price should be accepted within 10-45 days of that completion”.
- Section 5, A – Add “responsive and responsible” after the word low.
- Section 5, B – Delete last sentence
- Section 7, A – Add “binding” before arbitration.

At 4:13 P.m., a 15-minute recess was taken. The regular meeting reconvened at 4:31 p.m.

Commissioner Goodson made a motion to adopt the policy of the SFC as follows: Requests for projects to proceed under the alternate delivery methods authorized by W.S. 21-15-114 (a)(viii)(J) shall be presented to the Commission for approval. Funding for such projects may not be provided in the absence of such approval. The criteria by which the Commission shall consider requests to fund alternate delivery methods shall include but not necessarily be limited to:

- 1. Demonstration that a legitimate competitive process will be used in the alternate delivery method;*
- 2. Demonstration that the project is appropriate for application of an alternate delivery method;*
- 3. Demonstration that the project will be handled consistently with the advisories of the Commission regarding alternate delivery methods.*

Commission Algier seconded the motion. Motion passed unanimously.

Director’s Report

Ms. Donna Murray provided the Director’s report for Director Shivler.

WASBO Meeting

Ms. Murray attended the Wyoming Association of School Business Officers (WASBO) meeting in Dubois on July 27, 2006. She stated the meeting was very good and their questions are being addressed and answered by the staff.

She advised the top two concerns raised by the Districts were the contract process and the pay application process. She indicated the SFC Director is researching the possibility of creating a construction escrow account through local financial institutions to help with

the pay application process. She continued that the SFC had an internal audit conducted on their processes. Preliminary results were due the end of the month.

Records Request

Ms. Murray advised the Commission that on August 14 the SFC provided all the sole source contracts and back-up documents as requested by Mr. Drake Hill, Chairman of the Republican Party. They were interested in district files with TSP and TSP 2 and the SFC provided copies of those files.

Carbon 2

Ms. Murray stated there has been dialogue with the business manger and superintendent as well as with State's counsel and the district's attorney. An educational suitability study will be completed this month and a written report will be available to the District and SFC on August 29th. The SFC did offer to postpone the August 30th meeting; however the District elected not to.

Converse 2

Ms. Murray shared the bid tabulation for Converse County School District No. 2 - Glenrock Elementary School. She indicated the request for review and analysis funds would not be brought forth at today's meeting, however a conference call would be scheduled within the next week.

Facility Plans

Ms. Murray stated that District has come forward with anticipated needs or opportunities that have arisen outside the scheduled review of the facility plans. After conversations with LSO and State's Counsel, it appears the Commission has the authority to review and advise facility plans as they so choose. However, the SFC staff needs direction as they have no criteria for doing this.

Database System

Ms. Murray advised the Commission that the Maximus Program and Facility Focus were being reviewed an implemented and processes are being addressed.

New Business

Reprioritizations

Mr. Fred Hansen made a motion to approve funding the list of attached reprioritized projects as presented to the Commission today for Sheridan County School District No. 2 and Laramie County School District No. 1. Commissioner Carrier seconded the motion. Motion passed unanimously.

Laramie 2 Request

Commissioner Algier made a motion to not approve the request to use Major Maintenance funds for additional personnel in Laramie County School District No. 2. Commissioner Goodson seconded the motion. Motion passed unanimously.

Fremont 1 Request

Mr. Kirk Schmidt provided a packet to the Commission and provided a summary of the information.

Discussion was held regarding the need for flexibility by the legislature to open facility plans outside of the scheduled review period.

Mr. Schmidt indicated the plan he just presented to the Commission was changed by the SFC staff.

Commissioner Carrier asked why the staff changed the district plan and were there meetings and conversations to this effect.

Mr. Schmidt stated he did not know why the plan was changed, but there were meetings and conversations held. However, the plan provided to the Commission was what the community wanted to do.

Mr. Marsh expressed his thanks to Mr. Schmidt and stated he would see him at the next meeting.

Mr. Dave LaPlante stated there was a lot more to this issue. He stated that money was not reallocated to Starrett Jr. High, which has a score of 81 from MGT. The SFC paid \$94,000 for a structural study and this is not the final plan as it is conceptual.

Public Comments

Mr. Dennis Auker from Laramie County School District No. 1 stated he had no comments due to conversation and information he received prior to the meeting.

Ms. Diana Clapp from Fremont County School District No. 6 stated the District is ready to move forward with the Wind River Elementary School project.

Additional discussion was held regarding a special meeting for Converse County School District No. 2 and Uinta County School District No. 6. A tentative date was set for August 24, 2006 and 9:00 AM. The meeting would be held via conference call.

Commissioner Comments

Chairman Marsh thanked all for their participation. He also recognized Canon Simmons, son of Michael Simmons for attending the meeting and how impressed he was with Canon.

Commissioner Carrier made a motion to go into Executive Session; Commissioner Algier seconded; Motion passed unanimously.

Adjournment

Commissioner Carrier made a motion to adjourn the regular meeting at 5:22 p.m.; Commissioner Goodson seconded the motion; motion passed unanimously.

Michele Semones, Executive Assistant

Approved by:

Jeff Marsh, Chairman