

DRAFT
Minutes of the School Facilities Commission
Plain Hotel
Cheyenne, WY

September 26, 2008

Chairman Gilpatrick called the meeting to order at 1:30 p.m.

Present: Commissioner Carrier, Commissioner Ferris, Commissioner Goodson, Commissioner McBride, Chairman Gilpatrick and Director Daraie.

Chairman Gilpatrick made a motion to move into Executive Session at 1:32 p.m. Commissioner Ferris seconded the motion. Motion passed unanimously.

Chairman Gilpatrick made a motion to reconvene the regular meeting at 2:00 p.m. Commissioner Goodson seconded the motion. Motion passed unanimously.

Approval of Meeting Agenda

Chairman Gilpatrick made a motion to approve the agenda as presented. Commissioner Goodson seconded the motion. Motion passed unanimously.

Current Business

Rules

Donna Murray asked permission to move forward with a set of rules through the permanent rule making process. In April emergency rules, chapters 1-9 were adopted. School Facilities Commission (SFC) had to readopt these same rules so that they didn't expire in August, based on the LSO, we had to make some significant changes to the rules. Based on some communications from the retreat SFC is going to add more information or language in the rules and another chapter 10 to the proposed rules.

SFC asked the Commission for permission to take chapters 1-10 forward to the permanent rule making process.

Chairman Gilpatrick stated that we were doing a lot of policy making and LSO deemed that was not the right way to go and that we need to put more of those policies into rules. Ms. Murray agreed.

Chairman Gilpatrick thinks we are there, with a few changes. Donna stated that SFC will put the rules on the website and then distribute to our distribution list.

Commissioner Goodson motioned to move to forward to adopt the proposed Chapters 1-9 as modified and that the modified rules be published as proposed permanent rules of the Commission in accordance with W.S. §21-15-114(a)(xv) and W.S. §16-3-103. Commissioner McBride seconded the motion.

Motion passed unanimously.

Fremont 38 - Exception to Guidelines for Footage

Rich Hardt introduced Jim Shakespeare, Vice Chair of the Arapahoe 38 Board, Mr. Leo Handway, Clerk, and Mr. Bridger Handway, Maintenance Director for Fremont 38.

Rich Hardt stated they are at the 10% stage, which they had just completed on the new design for Arapahoe. Arapahoe presents some challenges in the planning stages.

Roger Clark discussed Fremont 38 – Fremont 38 services are probably the most challenging student body in the state of Wyoming. Nearly 100% of their students come from significant poverty nearly 30% of their students are identified as needing special educational services and that’s double the rate in the state of Wyoming, 2/3 of their students qualify for English Language Learner services at this point and academically they are historically among the lowest performing districts in the state of Wyoming. They met with the team a few weeks ago to design a new k-8 school; they kept those issues in mind. The following are the issues that they are facing:

1. To design a school to support their Reading First Initiative. This is a program that the state federally mandated to their school because of where they are in their AYP Status. This requires small student teacher ratios in their classrooms at this point. It request to have not only tier 1 and tier 2, but tier 3 interventions for their students. Tier 3 requires additional spaces outside the standard classroom and it requires a dedicated read naturally lab in their K-4 program.
2. Three intervention work areas tied to their reading first tier 3 reading intervention classrooms.
3. Pre-kindergarten school
4. Student support center for special needs students.
5. Classroom space to meet the needs of their native language and native culture programs.

They began with a footprint a few months back of 62,474 sq. feet. The district added enhancements, they recognize that they would also like to have some enhancement to the gymnasium space for recreation and they picked up 3,000 sq. ft. to add to a gymnasium. Bringing the subtotal to 65,474 sq ft. for that foot print and if allowed the exception would provide an additional 5,448 sq. ft. to meet the districts unique educational needs - special educational needs, language needs, culture needs, Reading First Needs. This would bring the total foot print at this time to 70,992 sq. ft.

Director Daraie asked if they would elaborate on conversations with the Department of Education (DOE). He asked how much of Fremont 38 programs are done in collaboration with DOE?

Mr. Clark stated that the District has two schools. It's a school in need of improvement and is a project working with the state. The reading first program is endorsed by the state and supported federally. There are two programs not supported by the state; the language cultural program and pre K classroom. They have maxed out on capacity on the reservation with their head start and early intervention programs.

Director Daraie asked about guidelines coming from DOE.

Mr. Clark states that the guidelines come from the DOE, and that they are under a corrective action plan. They meet every six weeks in Cheyenne to review goals within that corrective action plan. Mr. Clark feels that they are now closing the gap between their white and native students. The oversight is almost on a weekly basis.

Mr. Clark states that the only square footage that will not be totally tied to the programs on the educational level would be the 3,000 sq. feet of enhancement to the gym.

Commissioner McBride stated that lots of schools have Reading First Programs. It is absolutely clear with the DOE that with interventions that are researched based, applied with fidelity on these kids and with the right support activities they can learn at the same level as every other kid.

Commissioner McBride asked if there is a specific sq. ft. you need for Reading First? Commissioner McBride states that they have no statutory authority to allow them the pre-K space.

Commissioner McBride states that the special needs are double the other districts in the state. To consider additional space for that is appropriate. To say that we should allow extra space for an English Language Learners (ELL) program would mean that we should allow it for other districts. Something that shouldn't go unnoticed is that 66% of the kids are considered ELL in language skills when they arrive. Some latitude in that area might be appropriate, but Native Language constructions, in terms of space in the building, how can that be different, as far as other languages? We need to compromise. Some of the requests are just not legal for space.

Director Daraie states that all the references to DOE is to satisfy the question of the programs that have been embedded by DOE.

Commissioner McBride states that there is no other district in the state that is working more closely with the Department of Education than Mr. Clark's. The results have been very impressive.

Commissioner Carrier asked how many students verses the tier three are going to be put into those rooms at any given time and how much sq. ft. has been actually allotted for ELL?

Roger Clark states that the space is for students who will be with an ELL instructor to work on those language skills that are sadly missing at this point. Imagine students coming in with a 4,000 word deficit. That is why they need the intensive room, to break them apart.

Commissioner Carrier asks about the size of the room and putting in extra rooms to meet special educational needs.

Director Daraie states that they enlisted Mr. Coleman's services. During that process a series of evaluations have evolved. At the last VE session one of the numbers of things that occurred is that if we had smaller classrooms then the corresponding spaces in general will need to be traditional size. Mr. Coleman made some conclusions, he asserts that if we start off with an allowable sq. ft. of 6,205 then he can justify 4,065 sq. ft. that is exclusive of the pre-school space of 1,130.

Director Daraie states that the additional 1,383 sq. ft. requested is not justified at this point. Mr. Coleman is recommending 4,065 ft. and left the discussion of the pre K space to this commission.

Commissioner Carrier asked Roger if he is asking for 70,990 sq. ft. Mr. Clark stated, yes it is 70,992 sq. ft.

Director Daraie states that the total sq. ft. is essentially 71,000 of that 3,000 sq. ft. are the districts enhancement of the gym. Mr. Coleman can't support 13,083 sq. ft.

Director Daraie states that the questions that are up for discussion are the Commission's feelings about Mr. Coleman's recommendations on the 13,083 and the exclusion of the Pre K space.

Commissioner Goodson states that what we do in this case is take the student population and design a school. We then decide we have special needs in the area and so on top of that school we need spaces to add to meet the needs. What we are doing is substituting our money for creativity in design and creativity management to operate this school. His opinion is that 6,200 sq ft. is at current cost and that represents a million dollars.

Mr. Clark stated that the 62,474 model for 320 students was a two section school that would be the prototypical sq. ft. Where this breaks apart is the student to teacher ratio because of their programming. They are actually designing a three section school within the confines of 6,200 sq. ft. two section school, that's the creativity that they have come up with. They have reduced the size of the classrooms. The issue they are dealing with is trying to program it appropriately to get the results. A two section school doesn't work

for them with the mandated curriculum that has been place before us at this point; they require a three section school.

Commissioner Carrier asked what their class loads are.

Roger Clark responds that the class loads will run anywhere from 12 to 17 students with their three section and they can certainly increase that by a 1/3, but they will not get the results that they are trying to work on right now. They are currently running a three section school.

Commissioner Carrier states that 16 students are what are in the model now.

Commission discussed a need for setting aside space for native language.

Commissioner McBride pointed out that if they allow it they will have to allow it in other districts.

Mr. Clark states that there is a statute that was passed a couple years ago that elegantly lays out that the unique needs in the Wind River District.

Chairman Gilpatrick states that he didn't realize that you need to separate boys and girls to teach a native language. That defiantly creates a problem with needing additional space. He went on to say that we just need to figure out how much more space we can allow.

Commissioner Ferris asked if the native language couldn't be incorporated into the English language rooms when they are not in use.

Mr. Clark answers that currently they are teaching languages with 6 teachers throughout the day. There is not a time that the room would be available for the additional pull out. To meet the needs they would have to really step up the programs so that children can learn the native language.

Director Daraie states that they asked Coleman, if this space was necessary. Their conclusion was yes, but he said that 13,083 of that could have been accommodated by a smaller gym. Director Daraie went on to say that the bottom line of this is if you accept Mr. Coleman recommendation and subtract the pre-K school the exception requests becomes approximately 3,500 sq. ft.

Director Daraie states that Coleman could accommodate up to 13,080 feet of these programs within the existing guidelines. But he couldn't get all the way to all the programs.

Commissioner Goodson explains to Chairman Gilpatrick how they came to the sq. ft.

Commissioner Carrier states to Mr. Clark that he regrets that he cannot support a pre k school.

At 3:00 p.m. a 20-minute recess was taken. The regular meeting reconvened at 3:20 p.m.

Commissioner McBride made a motion to approve an exception request to the guideline footprint of 3,500 square feet to allow the district to address the unique cultural language and special needs of this special student body. Commissioner Ferris seconded the motion.

Motion passed unanimously.

Sublette County 1 - Review District's Long Range Plan

Nancy Thomson gave a brief introduction. She stated that over the past couple of months the district has been working at looking at long-range plans, long-range space and the Design Build process as it applies to their project. Nancy stated that they support the direction they are going.

Nancy Thomson introduced Doris Woodberry, Vern Mc Adams and Dennis Sight.

Doris Woodbury stated that they had a 10% growth since 2001. Doris Woodbury went on to say that they are teaching in the closets and hallways.

Ms. Woodbury showed a video to show that there's more than one aspect; to think broadly and not to look at just one portion of the situation. Presentation was given by Ms. Woodberry.

Ms. Woodbury reviewed the materials in the packet.

Vern McAdams discussed the square footage needs. He stated that the pool is gone, but is not off the SFC list.

Ms. Woodbury showed a visual of the campus. She stated that the old high school needs to be demolished. The art and agriculture building are in very poor condition and would be demolished down the road. A very old section of the MS will also be slated for demolition. The Aquatic Center is not part of the school facility. The gym and commons area would become part of the Aquatic Center. They are planning that the Elementary School would be remodeled into a High School, with some renovations or additions. They have purchased property in the Bloomfield subdivision. This will be their contribution for the project. Sewer, water and roads will be brought into the property. A Community Center will be directly across from the project.

Dennis Slight stated that this is a phased project, with modular homes and apartments which will begin next year. Dennis went on to say that during negotiations for the property the 25,000 cubic yards of the hills and ponds will be used in the school construction. The Property would basically have to be broken down about a foot and a half.

Ms. Woodbury stated that they are growing about 10% a year. The square footage they are proposing is 86,000 sq. ft. The current sq. footage includes two gyms and an auditorium, which makes the numbers look good at this time. They currently have 1,008 students as of last week.

Ms. Woodbury discussed the graph with the Commission.

Ms. Woodbury stated that one of the questions they were asked is why they would build an Elementary School. She went on to say if you see the footprint you can see that everything in Pinedale right now is on this campus, but all the High School facilities are located here as well. Along with a football field and practice field – all the HS accoutrements are cost prohibitive. Everything is in the same location; they simply don't have room to squeeze something else in there.

Ms. Woodbury stated that they have to break the mold in Pinedale, and the proposal is to build an ES with the Design Build process.

Ms. Thomson stated that Leandra Thomson, North Star Project management did give a presentation to the group outlining the advantages of Design Build. The number one advantage is time saving. The second advantage is a much more creative design. Another advantage is it has the tendency to contain costs. The task is to provide the most building for the money. Nancy went on to say that she believes that this is the appropriate design-build pilot project. With the Commissioners support, SFC would like to try a different delivery method to see if we can get a better product for a better cost.

Vern McAdams added that if they can get the kids in the building a year ahead then it would be a big saver, just in inflation. In terms of containing the cost, they are given a reasonable budget.

Commissioner Gilpatrick asks Nancy if she believes that this will be more cost affective in this environment than are traditional Design Build.

Ms. Thomson answers with yes, because we are able to build and occupy a school a year earlier. We're saving an entire year just in inflation, which we have been seeing at a rate of about 3 quarter of a percent a month in some instances. In terms of retaining the costs within the Design Build entity it self, their given a reasonable budget and that reasonable budget will be established from the SFC in cooperation with the district and North Star Product Management. Once the budget is reasonable then their tasked with providing a propomatic space within the budget, no exceptions.

Ms. Woodbury stated that it is important to clearly state educational specifications in the RFQ. Questions and concerns are made up front before one ever begins with the design-build process.

Commissioner Goodson asked if this process comes with a preconceived notion of the contract. Ms. Woodbury answered, no. Mr. McAdams stated that they will go through the two step process of a RFQ.

Commissioner Gilpatrick thought that it was essential that contractors have pre working experience with that and, in fact, no one in Wyoming does.

Nancy Thomson stated that she needed to clarify that by what Leandra was saying, we've had further conversations and of course contractors across the state have brought a number of her comments to her attention and one of them was; Is this RFP going to be written to strictly that would disallow any Wyoming contractors because this is a pretty new delivery method. New enough to where nobody has any experience and the Design Build delivery method within the state of Wyoming specifically on schools.

Commissioner Carrier asks wasn't there also an excessively large bonding requirement for the contractor?

Director Daraie states that it is not bonding.

Ms. Woodbury stated that it is very important to the district that they not exclude Wyoming contractors. So in the awarding for the evaluation of the request for proposal they have been hand and glove with the SFC staff and Leandra Thompson in devising that so that it would be fair equitable process for anyone who is able to come together as an architect and a construction firm and work hand and glove in a collaborative fashion.

Ms. Thomson stated that she would like to address Commissioner Carrier's comment regarding it being newly restrictive. Nancy went on to say that when Leandra was giving her presentation she did say that the ideal situation would be in a state where a lot of contractors and architects have experience, specially with Design Build on school projects. It might be reasonable to expect a certain amount of projects as part of their qualifications. They realized that was a bit restrictive and they backed off that and said that maybe it's okay that if a contractor has experience with a particular architect using the Design Build delivery method, say on a bank or an office building. That is still okay because the general premise and governing principal behind Design Build will still have been inherited in that relationship. Nancy went on to say that to address the concern about restrictive bonding, Mr. Daraie was correct in saying, that Leandra felt that in order to attract Design Build firms of a national level it would have to be a particular dollar amount. The project would have to be big enough to attract them to come to Pinedale. But the bonding capacity of the Design Build joint venture Design Build team would be no different than a CMAR or a regular design bid build.

Director Daraie added that it will be ground zero participants. That the RFQ goes out with specifications, sq. ft. and budget.

Ms. Woodbury says they see that as the attractive part of the process because of having to come back later and cut things out. Everyone knows from the beginning the perimeters, it becomes inherent on the architect and construction firm to figure out how to make that work and meet the educational specification that have been identified.

Commissioner Goodson asks if he is hearing that when you get to the competition for the Design Build team the budget for the project will already be set and then the competition is qualification based, rather than financial based competition.

Ms. Thomson stated that there is an RFQ that goes out which establishes the pragmatic needs, technical specification and the educational specifications that establishes the sq. ft. and establishes the budget. Three teams are short listed from that process and the short listed three are then asked to go through what is called a Design Build competition and through out the course of a set amount of time a month an half is what Leandra had identified. These three short listed Design Build teams would be asked to go through and give us an example of their creativity, what they can do with the given budget and what they think they can do within the given sq. ft. The final selection is based on how well they can adhere to the educational specification, tech specifications and their creativity just given from 0 to 10% maybe with just the schematic or a conception idea. Its qualifications based.

Commissioner Goodson stated that he had concerns about our building to establish a budget with confidence that is going to be realistic for the construction of this whole project when we're working with sq. ft.

Ms. Thomson asked how we come up with a reasonable budget. It's based on past experience in that area in that vicinity, experienced inflation rates, Jim Coleman, and Leandra has a cost estimator on her team that would be involved in reviewing the trends in the Pinedale area.

Ms. Woodbury stated that cost negotiations are made at the very beginning. Part of the cost savings is that they are designing as they go forward.

Commissioner Goodson stated that we have in our rules the method that we have to use to project the population that we design to. Commissioner Goodson asked if that is an accurate statement. He goes on to ask, if we have done that and added that he heard some populations projections that he thinks are in variance from that. He went on to ask if we are designing a school and programming a school with sq. ft. that is consistent with the rules and regulations.

Ms. Thomson stated that she believes we have based it on our SFC rules that are drafted.

Commissioner Goodson stated that he believes we already have some in place and doesn't think we can design it to the ones that we're getting ready to go advertise.

Ms. Thomson stated that is correct, based on our conversations, we've done the best we can with statistical analysis with the specific issues in Pinedale.

Commissioner Goodson stated that you can't state specific issues in Pinedale. You can't say those things. You need to say we have done this projections based on this method that is in our rules and regulations and we have this number.

Ms. Thomson stated that we need an exception to utilize this process.

Commissioner Goodson stated that we have rules and we need to follow them and stay consistent.

Commissioner Goodson goes on to say that the statement was made that to make this Design Build work in Pinedale, WY we would have to have a project of a certain size. Right now we're working 25 million. Is that based on the sq. ft. that is consistent with the rules and regulations?

Director Daraie states that it is.

Commissioners, staff and district discussed the projected population.

Commissioner Carrier stated that we have two Elementary Schools of 300 with a 10% overage, when you build the schools at least. He states that they have more room. You also have other schools to add on and take care of this possibly expanding to 400 or 450. But you're not putting all your eggs in one basket and if you build your school with 600, you're pretty much putting all your eggs in one basket.

Ms. Woodbury stated that the design allows for flexible groups based on content skill or ability not teacher preference. This is a new way of doing a school. They are allowing for smaller and bigger spaces for the delivery of instruction and the design has to be figured flexible. They are holding classes and instructional groups in their hallways.

Ms. Woodbury goes on to say that another reason for a new ES is we want to deliver 21 century classroom instructions to our kids.

Ms. Woodbury continues discussing school design ideas.

Commissioner Carrier states that if you know the population of an Elementary School, students can go to 1,000 in the next 5 years; you would probably still be able to have them on that campus.

Ms. Woodbury states no, we would probably be looking at a second campus, probably south of town.

Commissioner Carrier stated that if you were to put them in two separate schools, his thought would be that that would not only give you expandability, but it doesn't inhibit you from having that family membership issue.

Ms. Woodbury states that the Community is opposed to having separate ES; that parents, board and community want a single family school.

Director Daraie stated that keeping all the kids all the time has limits.

Commissioner Gilpatrick states that when you start building this kind of configuration it is way more expensive. He goes on to say that he is just cautioning, he wasn't saying we can't do this, but we need to sit down and think about that when it comes to design.

Mr. McAdams stated that there are some initial costs Ms. Woodbury went on to say that is where the Design Build process comes into play. The construction companies know up front.

Director Daraie stated that with the current process there has to be a consensus between the district and us.

Ms. Woodbury stated that by about 2014 their student numbers and the sq. ft. that they generated will match up. The new ES project is doable to the Design Build process and the proposed project is for more students than average in Wyoming, but the design is based on solid construction principals and the best available research. It's not necessarily the number of kids in the school, but how those kids are configured. We're asking for some decisions from the SFC.

Director Daraie stated that he is interested in the part that has to do with subsequent construction, the demolition, and reduction of sq. footage. He also pointed out that they have the HS and vocational tech programs, and they both kind of missed the score, which means they're both going to be on the list. So we have to have some kind of time field.

Mr. McAdams stated that the HS and Pinedale HS are in bad shape.

Director Daraie stated that the HS is comprised of at least two generations of construction and that score is the average of the total.

Commissioner Goodson suggests that if in your proposal you come up with a way to make your actual sq. ft. line coincide with the green line. If in the interim you have circumstances that make it obvious you're going to need more sq. ft. we have the ability to fix that for you. However unless there is a commitment in writing on your part to hit that line at some reasonable time we have no reason to think that will ever happen.

Director Daraie stated that what we are looking for is a commitment that this conversation doesn't stop the day after the new school is open. That we do in fact begin

that process of reduction and it will continue until the two lines coincide. We are looking for a commitment from you that by some date, we are going to be at the allowable sq. ft.

Director Daraie stated that just because this is our first significant Design Build, he thought that it would be totally appropriate for the group to report back. When the team has all the parameters nailed down they should report back; get all the representatives together and make a compelling case on what they have done.

Commissioner Carrier states that this whole presentation was for information only, but it sounded like they wanted the commission to make a decision.

Commissioner Goodson stated that we need to see in writing how we're going to make those lines come together.

Ms. Woodbury stated that she wanted to be clear on what the Commission wanted. The Commission needs to know what is going to happen to each of those facilities, what year, what time, what time frame, and the details need to be clearly laid out for each of those portions.

Commissioner Carrier stated that it makes more sense to him to build two 300 people schools because it's easier to build on. If you get yourself tied into a 600 person school where do you go?

Director Daraie stated that they spent hours and hours in planning sessions, VE sessions and so forth costing out efficiency movement of kids.

Mr. McAdams stated that he sees some cost efficiency with going with building one now.

Commissioner Gilpatrick stated that he thinks a lot of it is semantics; you're working towards creating something that is a combination for cost efficiency. He went on to say that he thinks he is coming along, and added that if we can come up with an understanding we're pretty flexible.

Ms. Woodbury stated that she thinks this approach is really a great approach if we can make it work.

Director Daraie stated that for this school to actually open in the fall of 2010, because there is some sensitivity with time, we could keep talking about this indefinitely. One of the key questions would be choice of Design Build and what our comfort level with that method of delivery is. Director Daraie asked is there a sufficient level of comfort. If not what is it going to take to get there so we can at least make that commitment and get that process going so that they can get going on all the preparation. We have a lot of details to work out. Are we there?

Commissioner Carrier states that he is ready to try the Design Build.

Commissioner Gilpatrick stated that you only jump to CMAR, and everyone went off on every tangent and they left us out in the boondocks here and then we started having all kinds of problems. If we're driving this then I think we have better control, with them coming back and keeping us abreast of what happening maybe that's a good approach to one Design Build and if it doesn't work we won't do it again. But we won't know unless we try.

Ms. Woodbury stated that the board members are also very cautious. We're willing to take the risk

Director Daraie asked that they understand that this whole concept did not come from the SFC. This was a state driven thing. The first few months were spent on education and becoming open minded.

Commissioner Goodson stated that he is more comfortable with Design Build than with CMAR. I would probably say no to CMAR. We'll look at this one.

Commissioner Carrier asks if we should put a vote to that even though he knows its information. Commissioner Gilpatrick says that he didn't say that they we're going to make any decision.

Ms. Thomson stated that there are a number of steps that need to take place regardless of what delivery method we use. The primary focus right now would be on development and completion of the education specifications. That would need to be done before a CMAR or Design Build. In lieu of putting pressure the Commission to take a vote, Ms. Thomson suggested we continue doing things we know need to happen.

Commissioner Carrier asked what's wrong with just saying Design Build now and we're going to try it because all of what you just said is isn't going to lead me to a different construction method.

Commissioner Gilpatrick states that we should stick with the agenda and not alter it.

Commissioner Carrier states that we will address the decision at the next meeting, but they should continue.

Commission and staff discuss when the next meeting is.

Adjournment

Chairman Gilpatrick made a motion to adjourn the regular meeting at 5:30 p.m. Commissioner McBride seconded the motion. Motion passed unanimously.