

WEBER COUNTY LIBRARY

BOARD OF TRUSTEES

**MINUTES**

Date: May 6, 2014

Board Members

In Attendance: Scott Spencer  
Kathleen Herndon  
Brent Innes  
Eric Jacobson  
Spencer Stokes  
Tom Taylor  
Commissioner Jan Zogmaister

Others in

Attendance: Commissioner Kerry Gibson  
Prescott Muir, Prescott Muir Architects  
Jay Lems, Prescott Muir Architects  
Slade Opheikens, R&O Construction  
Mike Phillips, R&O Construction  
Evelyn Bertilson, Friends of the Library  
Marcia Harris, Development Board  
Chris Allred, Library Board Legal Counsel  
Cathy McKitrick, Standard-Examiner  
Lynnda Wangsgard, Library Director  
Karen Burton, Associate Library Director  
Scott Jones, Assistant Library Director  
Kevin Wilson, Library Professional Property Manager  
Julia Valle, Business Office Manager

Spencer called the meeting to order at 5 p.m.

Approval of April 1, 2014 Meeting Minutes:

Stokes moved acceptance of the April 1, 2014 meeting minutes. Jacobson seconded the motion. All voted in the affirmative.

Director's Report:

Wangsgard requested the items on the agenda be reordered to accommodate a full and robust discussion of issues related to the Headquarters Library. Hearing no objections, Herndon moved the Board forego discussion of the Director's Report, Taylor seconded the motion. All voted in the affirmative.

Awards Received by Weber County Library System:

In the interest of time, Spencer asked that this item be carried over to the June meeting agenda.

Approval of an Interlocal Agreement to Convey Certain Real Property by and Among Roy City, the Roy City Redevelopment Agency, Weber County, and the Weber County Library Board:

The Interlocal Agreement making way for the exchange of the above referenced properties required for construction of the new Southwest Branch/ Headquarters Library had been approved by a unanimous vote of County Commissioners during their meeting earlier that same day.

Report on Contractor Response to Construction Bids and Recommendation of a General Contractor for the Headquarters Library and Interview Board Recommendations:

Wangsgard reported on the process used to select a Southwest Branch/Headquarters (HQ) Library construction company to be recommended to the Board. Responsibility for evaluating the bids received in response to the contract documents was undertaken by a team composed of the following individuals:

Joe Bauman, community representative with vast experience in the construction industry  
Greg Buxton, Ogden City Management Services Director and former Director of Utah  
State Department of Facilities and Construction Management  
Jay Lems, Prescott Muir Architects, and principal in charge of the HQ project design  
Prescott Muir, Prescott Muir Architects & Dean of the University of Utah School of  
Architecture  
Nate Pierce, Director of Operations, Weber County  
Mel Sowerby, community representative and former member and chair of the Utah State  
Building Board  
Lynnda Wangsgard, Director, Weber County Library  
Kevin Wilson, Weber County Library Professional Property Manager & LEED AP

The above review committee interviewed executives of the construction companies who responded with the three most competitive bids, evaluating cost, timeline, and the quality of the team brought to the job. R&O Construction was the unanimous recommendation of the group. R&O's bid was \$1,137,472 below budget.

Once all the comparative bids were available for review, County officials and representatives from Prescott Muir Architects, R&O, and the Library management team met to discuss options for additional savings.

Gibson noted during the Board meeting that the processes used to design the building and select contractor were and turned out to be good choices, but there was a desire to review bids and create additional value for the project. For example, subcontractors had charged sales tax on their bids and the County does not pay sales tax, which resulted in considerable savings on the ice sheet expansion.

Stokes indicated he thought the ice sheet was exempt because it was a State of Utah project and that the County would have to pay sales tax on the new Library.

Wangsgard distributed a spreadsheet that detailed an estimated \$639,482 in value engineering (VE) recommendations that had been identified by Prescott Muir Architects, R&O Construction, and members of the Library management team. The spreadsheet also summarized the increased cost/fees associated with value engineering the items on the spreadsheet and possible savings of oversight fees that could result from eliminating LEED (Leadership in Energy and Environmental Design) certification. Finally, the spreadsheet detailed a list of post-bid addendum items that would need to be considered in the final construction contract. The value engineering items had been discussed with County officials before being presented to the Board.

Herndon asked for a review of the overall goal of VE. Opheikens responded, explaining the goal was to cut cost without cutting value. That is, to rework or eliminate items that would not affect the efficiency of building systems or the quality of construction.

Muir, Lems, Opheikens, and Phillips presented each item on the VE spreadsheet, detailing the results the deduction would have, if any, in the quality of the project and/or on future operating costs.

Spencer asked for assurance that “we are not compromising quality.” Lems responded that a number of assurances built into the bid documents were designed to make sure a subcontractor could not undercut quality in order to be the low bidder and get the job. Knowing now who the subcontractors are, oversight by the architects, contractors, and owner was, in his opinion, formidable enough to ensure the desired quality as the project was bid. He therefore felt fine about lifting the quality certifications.

The greatest savings referenced on the VE list called for eliminating a radius scoop that was designed to work in unison with a passive daylight feature. The radius scoop was a “smart” building feature that was to be programmed to move throughout the year, blocking the hot summer sun from entering through skylights and bouncing, or diffusing, the warm winter sun and natural light into the interior of the building. The VE recommendation was to keep the skylights and remove the scoop.

Removing the scoop would lower the construction cost of the building by almost \$224,000, minus an added cost of approximately \$20,000 to increase the size of the heating, ventilation air conditioning (HVAC) systems required to handle the additional heat load the sunlight would add to the interior of the building during summer months. While energy modeling to determine the long term operational cost of running the higher capacity HVAC system was not yet available, it was determined that these HVAC operational costs would be less than the cost of the scoop.

Harris wondered if the bright summer sun would create an unwelcoming environment for users, as is the case in a local business referenced during the meeting that has skylights and no scoop.

Lems responded that there is an internal scrim that is designed to also help diffuse the sunlight. Lems would not advise changing the scrim as it also hides unsightly building infrastructure above it in the ceiling.

After considerable questioning and discussion, the Board agreed that all the VE recommendations presented were in the best interest of the project, except replacing concrete paving with high-density asphalt along the delivery and access road. The savings for this VE item was \$7,560. It was estimated that the cost of sealcoating and maintaining the asphalt road

would easily exceed this additional cost during the first decade of operations. Zogmaister noted the State recognizes the long term durability of concrete verses asphalt in their construction specifications.

Lems noted the VE items recommended for deletion might result in the building being LEED (Leadership in Energy & environmental Design) certified at a silver rather than gold level, should LEED certification still be the goal. It was determined that LEED certification would increase the cost of the building by \$50,000.

Spencer indicated he was agreeable to building to a silver standard but felt certification was promised to the public and he would like to proceed with LEED certification.

Taylor expressed his interest in continuing to seek sustainability in the capital projects, including working to certify at a platinum level.

Gibson noted that to the extent the goals of construction of an energy efficient building can be accomplished without expending the additional funding, it seemed prudent to forego the certification.

Stokes noted he would like to see the Library LEED gold certified but, in light of the pushback from County officials, he was ok with building to the LEED standard and saving the certification fee if Commissioners were willing to work together with the Board. That is, if they are willing to come together as a team, then foregoing the LEED certification would be a prudent compromise to get the buildings built. Wangsgard noted LEED certification puts everyone on their best behavior, but the Library administration was recommending this savings be added to the accepted VE items.

Burton noted certification was more than a plaque, it was an ethical commitment to the public that should be honored and every effort should be made to keep to the goals of sustainable building and operations.

Gibson expressed his view that the public voted to support general obligation bonding, expecting quality and also expecting the use of common sense to find value. Common sense does not mean building cheap, he noted. Owners get what they pay for, but decisions should be made to increase value.

Harris noted there was a great amount of conversation during the election debate and it was clear that the public was promised LEED certified buildings. The former Board made a commitment, she noted, and the amount of funding needed to keep the commitment and ensure the building is constructed to standard is small compared to the guarantee LEED provides in ensuring the public is getting what they voted for.

Jacobson was agreeable to leaving building construction as designed to the architects.

Herndon expressed a desire to keep energy saving elements of building intact and keep operating costs in check.

Stokes pointed out the Library will be built to a LEED standard, but not certified; that is, no one from the U.S. Green Building Council will be checking on the process. The architect has already

designed to a gold standard and Slade assured the Board that the contractor has bid to build to a gold standard.

Wilson, a LEED AP (accredited professional), noted the Library will meet the LEED standard of excellence. The architect, contractor, commissioning agent, and Library management team will ensure the building is constructed to this standard. Wilson will be on site overseeing construction, and ensuring the public gets what was promised.

Stokes reiterated his desire to build all the projects in the five-year plan, and a branch to serve those living in the northwestern portion of the County as well. If LEED is a sticking point with a majority of Commissioners, he recommends being willing to compromise.

Wangsgard noted this process would not compromise the scope the Board promised the public, even though the rules may be bent a little bit to keep the projects moving forward. One way to get the desired result is to go through the specified LEED process, submit paperwork, and get the certification. Another way to get the result is for Wilson to be on site and work with the third party commissioning agent already under contract to review, test, and certify that the building is constructed as it was promised to the public. The second method is not compromising the Board's integrity.

Bertilson cautioned that ethically it can't be said the building is LEED certified, only that it is built to LEED gold standards.

Stokes asked if another third party, college interns for example, could submit details for certification. Slade indicated that it would be very difficult as the contractor has to have someone on-site to complete their obligations for the LEED process, including forwarding invoices and other documentation available only to the contractor.

Wilson added he thought the \$50,000 would be money well spent because it will actually cost much more to document the quality of the work done and the time the U.S. Green building Council takes to review the process will ensure nothing is missed in what the public pays for.

Wangsgard asked the Board to leave LEED on the table to see if there was a way to actually certify without spending the allocation from the general obligation bond. She recommended the Board forward a contract to the County Commission for ratification with all possible hast. In so doing, the project will stay on schedule and construction can begin before the end of the month.

Jacobson moved accept all VE items except substitution of asphalt for concrete paving, Stokes seconded the motion. During discussion of the motion, it was confirmed the staff was in accord with eliminating all but the one of the VE items.

The motion passed unanimously.

Consideration/Approval of AIA Document A-101, Standard Form of Agreement Between Owner and Contractor for Headquarters Library," and "A-201, General Conditions of the Contract for the Construction as Referenced Therein:

Allred had reviewed and approved the contract, which was certified as to form by Muir.

Jacobson moved and Herndon seconded the motion to forward a contract to the County Commission, recommending R&O build the Southwest Branch/Headquarters Library. During discussion on the motion, Jacobson asked that it be stated for the record why R&O looked better than the second place bid. Wilson responded that R&O's bid was \$167,000 lower than the second lowest bidder, and in the opinion of the review board, they brought better team to the project.

All voted in favor of the motion except commissioner Zogmaister who abstained. Zogmaister will vote on the contract when it comes before the County Commission.

#### Groundbreaking for Headquarters Library:

Discussion ensued relative to the groundbreaking program as planned by Library staff and coordinated with Commissioners. Gibson had agreed to speak for the County Commission, Zogmaister and Spencer will speak for the Board. It was recommended that instead of traditional groundbreaking shovels, children break ground with sandbox toys. In addition to operating the sandbox groundbreaking equipment, Burton had arranged for children from area schools to produce art work depicting their vision for the new library and present a musical number.

Burton will provide hot dogs and other items at her expense. Members of the Board volunteered to make contributions. Each child who attends will get a plastic hardhat and stickers, provided in part at staff expense. The event was scheduled to run until 4 p.m., providing an opportunity for people to participate after school and work.

R&O Construction will bring a commercial barbecue grill and handle the cooking. They will also grub site, and have a trackhoe and other construction equipment onsite so children can pose with them for family pictures.

In addition to Gibson, Zogmaister, and Spencer, Roy City officials will be invited to participate on the groundbreaking program. Burton asked Gibson to invite Commissioner Bell to help out and participate wherever he would like.

Wangsgard will put together a program plan and share with the presenters.

#### Other:

Burton asked that time be made available on a future agenda to present an overview of summer literacy and other programs.

Wangsgard distributed a graph of comparative contract costs for several libraries along the Wasatch front. She noted that much misinformation had been on the grapevine concerning the cost of the three libraries in the Board's five year capital plan. In addition to the Headquarters Library being on time and under budget, the graph illustrated that while some book depository libraries are being built on the cheap, and others are being constructed to a more extravagant scope, the Weber County Library capital facilities cost per square foot for the new libraries is below the average of what is being spent for comparable facilities and is a good value.

There being no further business, Herndon move the meeting be adjourned. Taylor seconded the motion. All voted in favor.

Respectfully submitted: Julia Valle 6/3/14  
Julia Valle Date