
The Physical Properties Committee of The Board of Trustees of The University of Alabama met in Sellers Auditorium in the Bryant Conference Center in Tuscaloosa on Thursday, September 13, 2012. Trustee Karen P. Brooks chaired the meeting. Michael A. Bownes served as Secretary.

On roll call, the following Committee members were present:

The Honorable Angus R. Cooper II, Trustee from the First Congressional District

The Honorable W. Davis Malone III, Trustee from the Second Congressional District

The Honorable James W. Wilson III, Trustee from the Third Congressional District

The Honorable Ronald W. Gray, Trustee from the Fifth Congressional District

The Honorable William Britt Sexton, Trustee from the Fifth Congressional District

The Honorable Karen P. Brooks, Trustee from the Seventh Congressional District

The Honorable Andria Scott Hurst, Trustee from the Seventh Congressional District

Other Trustees in attendance:

The Honorable Marietta M. Urquhart, Trustee from the First Congressional District

The Honorable Joseph C. Espy, III, Trustee from the Second Congressional District

The Honorable Kenneth L. Vandervoort, Trustee from the Third Congressional District
The Honorable Paul W. Bryant, Jr., President pro tempore and Trustee from the Fourth Congressional District

The Honorable Finis E. St. John IV, Trustee from the Fourth Congressional District

The Honorable Vanessa Leonard, Trustee from the Sixth Congressional District

The Honorable John J. McMahon, Jr., Trustee from the Sixth Congressional District

The Honorable John H. England, Jr., Trustee from the Seventh Congressional District

The meeting was also attended by Chancellor Robert E. Witt, Assistant Vice Chancellor for Construction Management Michael Rodgers, UA President Guy Bailey, UAB Interim President Richard Marchase, UAHuntsville President Robert A. Altenkirch, as well as support staff from the UA System Office, UA, UAB, UABHS, and UAHuntsville.

Vice Chancellor for System Relations Kellee Reinhart introduced the press: Kim Eaton and Dusty Compton from The Tuscaloosa News; Meredith Armstrong from Channel 13; and Travis Leder from WVUA.

Chairman Brooks called for a motion to approve the minutes of the June 14, 2012, meeting. On motion of Trustee Sexton, seconded by Trustee Wilson, the minutes were approved.

Chairman Brooks called on Mike Rodgers, Assistant Vice Chancellor for Construction Management, to explain the presentation format for the Stage I Submittals included in the 2012-2013 Annual Capital Development Plans submitted to the Board at the June meeting.

Chairman Brooks called on Mike Lanier, UA Program Manager from Hoar Program Management, to present the UA construction items.

Mr. Lanier presented item one for consideration, a Stage IV resolution approving the revised project scope and budget and providing authorization to execute a construction contract for the Pi Kappa Phi Fraternity House at UA.

Chairman Brooks called for a motion to approve the resolution. On motion of Trustee Cooper, seconded by Trustee Gray, the item was approved.
Chairman Brooks called for a motion to approve the resolution. On motion of Trustee Gray, seconded by Trustee Sexton, the item was approved.

RESOLUTION

WHEREAS, on September 16, 2011, The Board of Trustees of The University of Alabama approved the Stage I submittal for the Presidential Village-Phase II project ("Project") on the campus of The University of Alabama at a projected cost of $62,500,000 in accordance with Board Rule 415; and

WHEREAS, on November 4, 2011, the Board approved the top three ranked architectural firms and authorized University officials to proceed with negotiations in accordance with Board Rule 415; and

WHEREAS, upon completion of negotiations with Williams Blackstock Architects of Birmingham, Alabama, the University has established a design fee of 3.5% of the cost of the work for the building plus a negotiated credit for interior design, landscape design, contract administration on multiple projects, similar project design, envelope consultant and elevator consultant services at no cost, and reimbursable expenses not-to-exceed $45,000; and

WHEREAS, on February 3, 2012, the Board approved the top ranked construction materials testing and IBC special inspections agent and authorized University officials to proceed with negotiations in accordance with Board Rule 415; and

WHEREAS, upon completion of negotiations with TTL, Inc. of Tuscaloosa, Alabama, the University has established a construction materials testing and IBC special inspections fee for a not-to-exceed amount of $442,673 for the services for both Presidential Village-Phase II and the Student Center at Presidential Village; and

WHEREAS, the associated cost for the Presidential Village-Phase II portion for construction materials testing and IBC special inspections is $320,437; and

WHEREAS, on April 13, 2012, the Board approved the architectural renderings and budget reallocation for this Project; and
WHEREAS, on June 15, 2012, the Board approved the top ranked commissioning agent and authorized University officials to proceed with negotiations in accordance with Board Rule 415; and

WHEREAS, due to the proposed scope and budget revision, the University is in negotiation with Environmental Systems Corporations of Huntsville, Alabama, for commissioning fee for this Project and will update The University of Alabama System Office upon completion of the negotiated fees; and

WHEREAS, this Project has been divided into five packages consisting of the building package, site improvement and excavation package, central energy plant fitout package, energy plant equipment package, and the early foundations package; and

WHEREAS, the building completion package consists of the completion of the building and all associated site work; and

WHEREAS, the site improvement and excavation package consists of rock removal, selective utilities work, and site grading; and

WHEREAS, the central energy plant fitout package consists of the installation of two cooling towers, one chiller, related heat exchangers, and pumps; and

WHEREAS, the energy plant equipment package consists of the aforementioned equipment installed under the central energy fitout package; and

WHEREAS, the early foundation package consists of the drilled piers and footings for Presidential Village-Phase II; and

WHEREAS, on March 22, 2012, in accordance with Title 39, State Bid Law of Alabama Code, D. H. Griffin Wrecking Company of Greensboro, North Carolina, was declared the lowest responsible bidder for the Rose Towers Demolition and Site Improvement Package with a base bid amount of $3,236,568 plus alternate 1 for a total contract amount of $3,400,568 of which $740,000 is allocable to the Site Improvement and Excavation package of Presidential Village-Phase II project; and

WHEREAS, on June 12, 2012, in accordance with Title 39, State Bid Law of Alabama Code, Trinity Contractors of Trussville, Alabama, was declared the lowest responsible bidder for the central energy plant
fitout package for the Presidential Village-Phase II project with a base bid amount of $577,000, which fell under the cost threshold requiring Board approval; and

WHEREAS, in an effort to meet the critical Project completion date, the University bid a shared foundation package for the Presidential Village-Phase II project and the Student Center at Presidential Village project; and

WHEREAS, competitive bids were received on August 2, 2012, for the shared foundation package for the Presidential Village-Phase II project and the Student Center at Presidential Village project, and Juneau Construction Company of Atlanta, Georgia, was declared the lowest responsible bidder for the shared early foundations package with a base bid amount of $1,625,000 of which $1,268,475 is allocable to the Presidential Village-Phase II project; and

WHEREAS, the University desires to accept Juneau Construction Company’s Base Bid of $1,625,000 for the shared foundation package for the Presidential Village-Phase II project and Student Center at Presidential Village project; and

WHEREAS, in order to meet the Project completion date of July 2014, the University is requesting approval to award all construction contracts for this Project to the lowest responsible bidders so long as the bids for the construction contracts for the Project do not cause the Total Project budget to exceed $62,500,000 as set out below; and

WHEREAS, the University desires a budget reallocation to reflect the associated bids for the early foundations package, site improvement and excavation package, and central energy plant fitout package for this Project; and

WHEREAS, the Project location and program have been reviewed and are consistent with the University Campus Master Plan, University Design Standards, and the principles contained therein; and

WHEREAS, the Project will be funded from Future Revenue Bonds in the amount of $62,500,000; and

WHEREAS, the revised budget for the Project is as stipulated:
BUDGET:  

<table>
<thead>
<tr>
<th>Construction Category</th>
<th>REVISED</th>
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<tbody>
<tr>
<td>Construction - Building Package</td>
<td>$51,047,499</td>
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<tr>
<td>Construction - Site Improvement and Excavation</td>
<td>$740,000</td>
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<tr>
<td>Construction - Central Energy Plant Fitout</td>
<td>$577,000</td>
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<tr>
<td>Construction - Energy Plant Equipment</td>
<td>$575,000</td>
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<tr>
<td>Construction - Early Foundations</td>
<td>$1,268,475</td>
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<tr>
<td>Contingency* (5%)</td>
<td>$2,710,399</td>
</tr>
<tr>
<td>Architect/Engineer Fee** (3.5%)</td>
<td>$1,794,425</td>
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<tr>
<td>UA Project Management Fee*** (1.5%)</td>
<td>$853,776</td>
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<td>Telecommunication and Data</td>
<td>$1,050,000</td>
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<tr>
<td>Construction Material Testing****</td>
<td>$320,437</td>
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<tr>
<td>Other Costs (testing, survey, inspections, advertising)</td>
<td>$1,562,989</td>
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<td><strong>CONTINUED</strong></td>
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</tbody>
</table>

**Total Project Budget** $62,500,000

*Contingency is based on all the construction packages.
**Architect/Engineer is based on a 3.5% rate plus a negotiated credit for interior design, landscape design, contract administration on multiple projects, similar project design, envelope consultant and elevator consultant services at no costs, and a not-to-exceed amount of $45,000 for reimbursable expenses.
***UA Project Management fees are based on all the construction packages.
****Cost reflects construction material testing for Presidential Village-Phase II.

WHEREAS, officials at The University of Alabama have determined that the Board will incur certain costs in connection with the acquisition, construction, and installation of the Project prior to the issuance of the Bonds, and the Board intends to allocate a portion of the proceeds of the Bonds to reimburse the Board for certain costs incurred in connection with the acquisition, construction, and installation of the Project paid prior to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by The Board of Trustees of The University of Alabama that:

1. **Guy Bailey, President, Lynda Gilbert, Vice President for Financial Affairs and Treasurer, or those officers named in the most recent Board Resolution granting signature authority for The University of Alabama be, and each hereby is, authorized to act for and in the name of The Board of Trustees of The University of Alabama in executing the aforementioned contract with Juneau Construction Company of Atlanta, Georgia, for the shared foundation package for**
Presidential Village-Phase II project and the Student Center at Presidential Village project in accordance with Board Rule 415.

2. The University of Alabama does hereby declare that it intends to allocate a portion of the proceeds of the Bonds to reimburse the Board for expenses incurred after the date that is no more than 60 days prior to the date of the adoption of this resolution, but prior to the issuance of the Bonds in connection with the acquisition, construction, and installment of the Project. This portion of this resolution is being adopted pursuant to the requirements of Treasury Regulations Section 1.150-2(e).

3. The budget revision for the Project as stipulated above is hereby approved.

BE IT FURTHER RESOLVED that all construction contracts to be competitively bid on the Project as aforementioned may be awarded by the University pursuant to Alabama bid law, and the hereinafter listed campus officials of The University of Alabama are thereafter authorized to act for and in the name of The Board of Trustees of The University of Alabama in executing all construction contracts with such low bidder for the Project subject to compliance with all of the following provisions:

1. The University is granted approval to award the construction contracts for the Project to the lowest responsible bidders pursuant to Alabama bid law so long as the awards of such construction contracts for the Project do not cause the Project to exceed the total Project budget.

2. If the award of the construction contracts for the Project will cause an increase in the total Project Budget, the University shall bring the matter before the Board of Trustees or the Executive Committee of the Board of Trustees for approval of the construction contracts for the Project and the revised budget for the Project.

3. The University will provide an ongoing report about the award of all construction contracts for the Project to the Office of the Chancellor.
4. Guy Bailey, President, Lynda Gilbert, Vice President for Financial Affairs and Treasurer, or those officers named in the most recent Board Resolutions granting signature authority for The University of Alabama be, and each hereby is, authorized to act for and in the name of the Board of Trustees in executing the aforementioned construction contracts for the Project upon satisfaction of the conditions set out above.

Mr. Lanier presented item three for consideration, a Stage IV resolution approving the revised project scope and budget, providing authorization to execute a construction contract for the “Shared Foundation Package,” and providing authorization to execute a construction contract with the future lowest responsible bidder for the “Building Package” for the Student Center at Presidential Village at UA.

Chairman Brooks called for a motion to approve the resolution. On motion of Trustee Sexton, seconded by Trustee Wilson, the item was approved.

RESOLUTION

WHEREAS, in the 2010-2011 Annual Capital Development Plan, The Board of Trustees of The University of Alabama approved the Stage I submittal for the Student Center at Presidential Village and Dining Facility (“Project”) on the campus of The University of Alabama in accordance with Board Rule 415; and

WHEREAS, at the Board meeting on June 17, 2011, the Board of Trustees approved the top three ranked architectural firms and authorized University officials to proceed with negotiations in accordance with Board Rule 415; and

WHEREAS, upon completion of negotiations with William Blackstock Architects of Birmingham, Alabama, the University has established a design fee of 5.6% of the construction cost; and

WHEREAS, at the Board meeting on November 4, 2011, based on the addition of the new multipurpose storm shelter, the Board of Trustees approved the scope and budget revision from $18,967,500 to $24,667,500; and

WHEREAS, on February 3, 2012, the Board approved the top ranked construction materials testing and IBC special inspections agent and
The Board of Trustees of The University of Alabama

September 14, 2012
Sellers Auditorium, Bryant Conference Center
Tuscaloosa
10:30 a.m.
2. Consideration of Resolution authorizing UAHuntsville to proceed with planning for a Bond Issue, select a Financial Advisor, and identify a Bond Counsel

3. Consideration of Resolution authorizing UA to draw from and replenish the Intercollegiate Athletics Quasi-Endowment Fund to accommodate the Rowing Team in the Student Center at Presidential Village

4. Consideration of Resolution approving revisions to Board Rule 405. Deposit of University Funds

5. Administrative Action Items

a. Consideration of Resolution approving revised Signature Authority at UAB

b. Consideration of Resolution approving revised Signature Authority at UAHuntsville

c. Consideration of Resolution approving revised Signature Authority at UA

5. Administrative Action Items

d. Consideration of Resolution authorizing individuals to transact business with approved Depositaries for UA

H. Physical Properties Committee Report

1. UA Items

a. Construction Items

1) Consideration of Resolution approving revised Budget and authorizing execution of Construction Contracts to the future lowest responsible bidders for Pi Kappa Phi Fraternity at UA (Stage IV)

2) Consideration of Resolution authorizing execution of Construction Contract for the Shared Foundation Package with the Student Center at Presidential Village, approving Budget revision, and approval to award Construction Contracts to the future lowest responsible bidders for the Presidential Village-Phase II at UA (Stage IV)