

A special meeting of the Central Wyoming College Board of Trustees was held on Thursday, August 13, 2009, by telephone conference call conducted by speakerphone from Administration Wing Room #124 on the Central Wyoming College campus.

ATTENDANCE:

Present: Roger Gose (by speakerphone)
Frank Welty (by speakerphone)
Caroline Mills (by speakerphone)
Charlie Krebs (by speakerphone)
Colton Crane (by speakerphone)

Absent: Scott Phister
Judy Pedersen

Administration: Jo Anne McFarland
Jay Nielson
John Wood

Attorney: Frank Watkins (by speakerphone)

Recorder: Linda Bender

Guests: Carolyn Aanestad
Jim Thurman (by speakerphone)

CALL TO ORDER: Board Vice Chair Roger Gose called the meeting to order at 5:30 p.m. He indicated that he would be conducting the meeting as Vice Chair, as Board Chair Scott Phister was traveling. He stated that the meeting had been appropriately advertised as required by state statute and was being conducted as advertised by telephone. This special meeting was called for the purpose of establishing a Guaranteed Maximum Price for the CWC Intertribal Education and Community Center, and no other business may be transacted.

ROLL CALL: A roll call conducted by the board clerk indicated that Dr. Gose, Dr. Crane, Ms. Mills, Mr. Krebs, and Mr. Welty were present and that Board Chair Phister and Ms. Pedersen were absent. Board Vice Chair Gose announced that a quorum of the board was present to conduct business.

SPECIAL BOARD
BUSINESS:

Award Contract
For CMAR -
Guaranteed
Maximum Price
for Intertribal
Center

Dr. McFarland stated that the architects, engineers, and the construction manager have come to consensus to identify appropriate value engineering to trim the construction cost of the Intertribal Center from \$4,886,181 down by \$586,181 to align with available revenues. Through value engineering which is required by the state, necessary modifications and cuts have been identified. This value engineering brings the Guaranteed Maximum Price to the recommended \$4.3 million. A contingency fund of \$231,151 is available if any costs need to be adjusted and which might allow the restoration of some of the value engineering modifications and cuts that have been identified in the FCI construction document. The contingency funds include an additional donation received recently from the Northern Arapaho Tribal Council, but does not include any remaining pledged donations that have not been received. Additional pledged donations and additional donations to further equip and furnish the Intertribal Center are expected.

Mr. Nielson reported that total project budget of \$5,070,120 has increased based on donations received recently. The guaranteed maximum price for construction has increased to \$4.3 million because of recent donations and to preserve some of the essential items of the project. The construction contract will include an additional \$20,000 for a pergola and a chiller for the Arts Center that will be paid for by college funds. The pergola is a covering at the entrance, and matching pergolas for the northeast entrance to the Intertribal Center and the west entrance to the Arts Center are part of the construction project. The Arts Center chiller is 25 years old and needs to be replaced. It will be sized to meet the needs of the Arts Center and the Intertribal Center together and funded from major maintenance funds.

Mr. Nielson pointed out that the guaranteed maximum price is set at \$4.3 million and if there is a savings, the college will receive 100 percent of that cost reduction. The guaranteed maximum price includes a 3 percent construction contingency that will continue into construction and a 2 percent bid contingency that can be absorbed as bids with subcontractors are finalized. In addition to the guaranteed maximum price, \$250,000 is available for furniture, fixtures, and equipment; \$293,969 for architecture and engineering; \$100,000 for soils, testing, permitting, and other reimbursables; and \$126,151 for an owner's contingency.

Mr. Nielson stated that the trend log was included in the addendum to the board packet to show the detailed discussion that occurred over the last five days with

staff members, the construction firm, and the architects. Several subcontractors provided their input as well. The value engineering process was very detailed to help reduce the cost of building but to retain the original purpose of the building.

Dr. McFarland recommended that the board set the guaranteed maximum price for the construction of the Intertribal Center at \$4,300,000 and approve the project budget including the chiller and pergola for the Arts Center, which will allow the administration to finalize the construction contract with FCI and move forward with the construction phase of the project subject to board attorney review of the final documents.

ACTION:

Ms. Mills moved to set the guaranteed maximum price for the construction of the Intertribal Center at \$4,300,000 and approve the project budget including the chiller and pergola for the Arts Center, which will allow the administration to finalize the construction contract with FCI and move forward with the construction phase of the project subject to board attorney review of the final documents. Mr. Krebs seconded the motion.

Mr. Welty stated that he was unhappy with the whole process. He has not had a chance to go over the data. The board was told that the building would come in under budget, and it has come in over budget. The board is being herded into taking a vote to go ahead with the project, but has not had a chance to digest all the information. He is not comfortable with the time pressure and the lack of discussion on the new figures. He expressed concern that something unexpected could come up which would make the project go over budget. He is not prepared to vote in favor of it.

Ms. Mills asked what the phrase from the trend log to “keep on the bubble” meant. Mr. Nielson explained that these were items that he wanted to keep in the project. These items are pending and will be considered as funding allows. Mr. Krebs stated that the college will sign a guaranteed maximum price contract, so the college will not be liable for any errors made by the contractor that would make the project go over budget. Mr. Nielson stated that this is correct. That is a guaranteed price, and the contractor has agreed to build the building for that amount.

Vice Chair Gose called for a vote on the motion currently on the floor. A roll call vote was taken with Dr. Gose, Mr. Krebs, Dr. Crane, and Ms. Mills voting in favor of the motion and with Mr. Welty opposed. Motion carried.

Vice Chair Gose commended all those involved in this long process that has culminated in this vote. He looks forward to the Intertribal Center groundbreaking which will take place on Monday, August 17, at 4 p.m.

ADJOURNMENT: There being no further business for the special meeting, Board Vice Chair Gose adjourned the meeting at 5:55 p.m.

Secretary

APPROVAL:

Chair