

Construction Services



Clockwise from Top Left: Stephanie Dorward - Manager, Vini Bhargava - Specialist, Emily Montan - Analyst, Chris Hornbeck - Director (in front)

Following the demise of the Design & Construction Policy unit in 2008, Construction Services was reconstituted in June 2010 when Associate Director Chris Hornbeck volunteered for the hazardous duty. By March 2011, the unit comprised four unsuspecting newcomers, tapping expertise from varied disciplines including architecture, construction management, law, meeting planning, and informal nonsensical banter. The eclectic team provides policy and contract guidance to campus capital programs and construction staff, assisting with strategies for effective project delivery.

Construction Services' labor of love is **The Facilities Manual**, a page-turning thriller recording the past and current efforts in the form of contract, policy and guideline updates. Look for version 3.0 on your PDAs through Sharepoint in the fall.

Construction Services operates the Construction Review Board for bid protest appeals, sponsors legislation such as Best Value contractor selection and helps implement compliance with legal requirements such as labor compliance. Construction Services kick-started the Capital Programs Institute (CPI), the University's systemwide program for training and sharing of best practices. CPI derives subject material from the campuses' top performing facilities and capital projects staff, who incidentally are quick to point out UCOP doesn't know everything (Editor's comment: we agree).

Chris Hornbeck

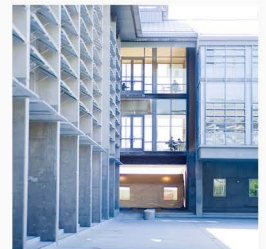
Exclusive Negotiating Agreements

Exclusive negotiating agreements (ENAs) can be a useful tool to commit parties to perform needed tasks before a transaction is negotiated or approved. For UC, ENAs may provide a framework within which to negotiate a ground lease for a privatized development on campus, and also for other transactions, notably purchases. Before entering into an ENA, UC needs to determine if the benefits are sufficient for the rights and flexibility given up. In some cases, an ENA may not be appropriate. Since ENAs are binding agreements, campuses should coordinate closely with RESG and OGC. RESG retains ENA negotiation and execution authority for purchases, sales and ground leases. Typical UC ENA provisions include: (1) obligation to exclusively engage in good faith negotiations for a term; (2) specific tasks to be completed by the parties (e.g., developer design and other pre-development studies); (3) possible reimbursement of third party costs incurred if UC elects not to proceed; (4) conditions to be satisfied to continue (e.g., Regents' approval); and (5) termination for non-performance.

Gordon Schanck

CAN WE BID NOW?

Bidding procedures are governed by the Public Contract Code, the UC Facilities Manual and other specific directions from UCOP. Essentially, the project must have all required approvals (such as Budget, CEQA, Design, etc.), adhere to the approved project scope, and be within budget overall.



Per DA (Delegation of Authority) 2173, "Execution of a contract for a Project shall not cause the total cost of the Project (including site clearance, building construction, exterior utilities, site development, A&E fees, campus administration, surveys & tests, special items, construction contingency, and group 2 & 3 equipment) to exceed the capital improvement budget." If keeping the estimated cost of the project within budget is contingent on obtaining approval of a budget augmentation request, the project may not proceed to bid.

Any questions related to bid procedures and timing can be directed to Chris Hornbeck or to your campus' attorney at Office of the General Counsel.

Deborah Wylie

Regents' Items Frequently Asked Questions...

OP is preparing to post an online series of FAQ's in regards to Regents' Items and the submittal process. Simply click this link to be redirected to the FAQ URL. <http://budget.ucop.edu/faq.html> (Under construction, open soon)

JAN

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3 IN 1 WORKSHOP:
- LABOR COMPLIANCE
PROGRAM UPDATES
- BUILDER'S RISK
INSURANCE UPDATES
- BEST VALUE CONTRAC-
TOR SELECTION

UCSD

MAR

22-23

UC SAN FRANCISCO

JOINT MEETING -
CAPITAL
PLANNING DIREC-
TORS & CAMPUS
ARCHITECTS

27-29

UCSF MISSION BAY

REGENTS
MEETING

BCR Regent's item Submission
Schedule can be found here :

[http://budget.ucop.edu/nonstate/
documents/regs_sub_sched.pdf](http://budget.ucop.edu/nonstate/documents/regs_sub_sched.pdf)

Annual Report on Sustainable Practices

Highlights from the 2012 Annual Report on Sustainable Practices report included 38 new LEED™ certifications in 2011. UC now has 87 LEED™ certifications (new construction, renovation, homes, and existing buildings), the most of any university in the country. In addition, UCSB leads the nation with 8 Existing Building certifications. The report acknowledges the financial dividends of sustainability, most notably the \$32 million in annual cost avoidance from energy efficiency projects implemented through 2011. Major focus areas for 2012 include adoption of a sustainable water systems policy, efforts to achieve the 75% waste diversion goal, and initial steps to comply with California's "cap-and-trade" regulation of greenhouse gas emissions.

Matt St. Clair

A Fond Farewell and A Warm Welcome

Paul Hanchock (*to the left*), a 33 year UC employee, will be retiring as space and planning analyst at the end of January. Taking on the monumental task of filling Paul's shoes, as well as taking on planning duties, is **Stephen Stock** (*to the right*), an Auburn University graduate and former campus planning analyst for Sasaki Associates. Please join us in welcoming Stephen to the UC family and showing appreciation to Paul for his decades of dedicated service to the University as he embarks on his well earned retirement.



WORKING SMARTER Database Initiative

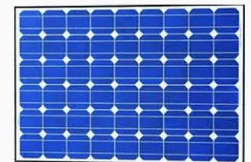
In 2008-09 the UCOP created the Capital Projects Database for submission of capital project data for the State Quarterly Reports and the annual "Major Capital Projects Implementation" report. CRM is now working with IBM to create a new web-based interface to replace the current Capital Projects Database and the Capital Improvement Budget database. The new system will eventually link to other UCOP databases, such as financial information, possibly a wider variety of facilities information, and other metrics that are being evaluated. We are currently recruiting a selected group of campus stakeholders to help shape and test the new database. Our goal is to "go live" this spring. The new database will be pre-populated with existing project, funding, and schedule data from the current UCOP databases and the 2011-21 CFP so campuses can view project information all in one place. Once the roll-out occurs, we will solicit further campus input on functionality and features to increase value to the campuses.

Linneth Cox

Photovoltaics Installation on Lease Revenue Bond Projects

In general, it is permissible to install photovoltaic (PV) arrays on Lease Revenue Bond (LRB)-funded projects if ALL of the following apply:

- The PVs are identified on the preliminary plans drawings and approved by DOF/SPWB at that time;
- The PVs will not preclude State access to the roof;
- The convertor/generator for the PVs is located in the building/project area;
- The power does not generate revenue (which is considered to constitute "private activity") for the campus or any other entity; and
- The power is primarily for the facility (leftover power could be distributed to other buildings/facilities so long as they are State-supportable).



If PVs are included in bid documents as an alternate and the alternate is not awarded, future installation is possible if the project continues to comply with the above restrictions and we keep the State informed. It may be possible to install a system that does not meet all of these requirements, but this requires DOF consultation and approval is not a given. If the PVs generate revenue, both DOF and the State Treasurer's Office must review all documentation (lease agreements, contracts, etc.) prior to LRB sale.

Brian Ross

Fish and Game 2012 Filing Fees California Department of Fish and Game (DFG) fees apply to all Negative Declarations, Mitigated Negative Declarations and Environmental Impact Reports (EIR) unless a project is tiered from a prior environmental document for which a payment was previously made. These fees are paid at the time the CEQA Notice of Determination (NOD) is filed with the State Clearinghouse. The NOD is not accepted unless accompanied by DFG check or receipt for prior payment. Details at: http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html

2012 DFG Filing Fees: Negative Declarations and Mitigated Negative Declarations: \$ 2,101.50
Environmental Impact Reports: \$2,919.00