
Idaho State Capitol Commission

Official Minutes December 3, 2001

A meeting of the Idaho State Capitol Commission was held on this date in the Senate Caucus Room, #350, Idaho State Capitol Building. Chairman Roy Lewis Eiguren called the meeting to order at 3:45 p.m.

Attendees

Members Present:

Roy Lewis Eiguren, Chairman

Pam Ahrens, Director, Department of Administration, and Secretary/Ex-Officio Member

Carl Bianchi, Director, Legislative Services Office, and Ex-Officio Member

Andrew Erstad

Steve Guerber, Director, State Historical Society, & Ex-Officio Member

Stephen Hartgen

Skip Smyser

Members Absent:

Sandy Patano

Will Storey

Others Present:

Allison McClintick, Policy Adviser, Office of the Governor

Maria Barratt, Analyst, Division of Financial Management

Jan Frew, Design/Construction Manager, Div. of Public Works, Dept. of Administration

Tim Mason, State Facilities Manager, Division of Public Works, Department of Administration

Rick Thompson, Administrator, Div. of Internal Management Systems, Dept. of Administration

Jan Cox, Administrator, Division of Purchasing, Department of Administration

Diane Blume, Management Assistant, Department of Administration

Carole Schroeder, Capitol Commission Assistant

Jason Hancock, Analyst, Legislative Services Office

Jeff Shneider, CSHQA Architects

John Maulin, CSHQA Architects

Bill Drake, *es/drake*

Jeremy Chase, *es/drake*

Bob Fick, AP

Meeting with Governor Kempthorne

Commission Chairman Roy Lewis Eiguren reported that the Commission met with Governor Kempthorne prior to this meeting and updated him on the State Capitol's renovation status. The Governor indicated his very strong support for the work that the Capitol Commission is doing, which the Commission appreciates.

Introduction

Commission Chairman Roy Lewis Eiguren introduced and welcomed the new Capitol Commission Assistant, Carole Schroeder. Carole will work for Commissioner/Secretary Pam Ahrens and for Management Assistant Diane Blume in the Department of Administration.

Approval of Minutes

MOTION: Commissioner Erstad moved, Commissioner Smyser seconded and it passed unanimously that the minutes of the October 15, 2001 Idaho State Capitol Commission meeting be approved with the revision that Commissioner Guerber was present, not a teleconference participant.

Public Relations/Outreach

Public Relations Marketing Program *es/drake* Services

Commissioner Hartgen reported that in accordance with the decision made at its last meeting, the Communications Committee recommends that the Capitol Commission pay *es/drake* as invoiced for public relations and outreach services to date of \$16,423.00 from the approximately \$23,000 left in this fiscal year's account. The Committee recommends that no further funds be expended on public relations and outreach services until a firm is selected for private-

sector fundraising. Further, the Communications Committee recommends that it meet with representatives from the Division of Public Works and from the Idaho State Historical Society regarding needs and specifications of the videography and photography, maintaining the status quo of this budgetary item pending that meeting.

Fundraising Request for Proposal (RFP)

Commissioner Hartgen explained that Jan Cox, Administrator of the Division of Purchasing, Department of Administration, reviewed a proposed RFP for the Idaho Capitol Commission private sector fundraising services. The Communications Committee agrees with the reasonability of a \$2 million dollar fundraising goal. Whichever firm is awarded the contract would be expected to start work immediately and the contract type would be time and materials covering a two-year period. Department of Administration personnel will work with the Communications Committee to set up evaluation criteria for awarding the contract; this contract should be in place by the end of January, 2002. The Communications Committee recommends not spending any further money on communications or outreach beyond the outstanding billing to *es/drake* until the fundraising consultant is hired.

Motion: Commissioner Hartgen moved, Commissioner Erstad seconded, and it passed unanimously that the Department of Administration proceed with the RFP for the fundraising consultant as presented.

Chairman Eiguren distributed the attached letter (attached to the hard copy) dated November 29, 2001, in which he resigned as a partner of VERITAS Advisors LLP effective November 30, 2001 to allow VERITAS to compete in the RFP process for selection of a fundraising consultant for the Idaho State Capitol restoration. Chairman Eiguren explained that although applicable Idaho law would allow him to remain a partner of VERITAS in such a process as long as he recuses himself from the decision-making process, that he preferred to resign the partnership to avoid even the appearance of a conflict of interest. Chairman Eiguren will continue to recuse himself from any actions concerning the selection of a fundraising consultant.

Design/Construction

Project Management Approval of Project Manager

Commissioner Erstad explained that the Selection Committee of the Design/Construction Committee has completed interviews with Project Manager candidates from all across the state during the selection process for the Project Manager. Commissioner Erstad asked that the Commission approve the top-ranked team selected from the nine applicants. This list was narrowed to four applicants that the Design/Construction Committee brought in and interviewed. Commissioner Erstad reported that the Committee chose 3D International / Lemley Associates (of Texas / Boise.) 3D International / Lemley Associates received 90 points out of a potential 100 points, which is 14 points above the next-highest ranking firm. Commissioner Erstad said that 3D International / Lemley Associates presented a very compelling presentation to the selection committee. According to Commissioner Erstad, the Design/Construction Committee recommended 3D International / Lemley Associates to the Permanent Building Fund Council earlier today, and they approved the selection subject to the approval by the Idaho Capitol Commission.

Motion: Commissioner Erstad moved, Commissioner Smyser seconded, and it passed unanimously that the Idaho Capitol Commission accept 3D International / Lemley Associates to perform the Idaho State Capitol Building Restoration Project Management services.

Chairman Eiguren thanked the Design/Construction Committee for all its hard work, and Commissioner Erstad thanked Jan Frew, Division of Public Works, for her extensive assistance in the process. According to Commissioner Erstad, the next step following this approval from the Commission is that Public Works will go into contract negotiations with 3D International / Lemley Associates per the RFP specifications. Once the contract is negotiated, they will work with the design architects (CSHQA) and the Commission in reviewing what has happened to date, looking to the past as well as to the future. Commissioner Erstad explained that one of the reasons 3D International / Lemley Associates rose to the top was an exceptional interview and as part of that interview it displayed a number of projects the firm has completed or is in the process of completing, including the renovation of the Texas State Capitol and the Utah State Capitol. The firm has been very involved with a thirty-year, continuous contract with the U.S. Pentagon. Commissioner Erstad

said the Selection Committee is delighted to have Jack Lemley involved; he is a local representative with an outstanding reputation.

Design Issues

Light Shafts

Commissioner Erstad reported that although the Design/Construction Committee was granted leeway for minor design deviation decisions during work on the State Capitol, the committee is still required to bring back to the Idaho Capitol Commission any significant Master Plan deviations. Commissioner Erstad explained that under the Master Plan, two of the four light shafts were scheduled to be renovated, with one converted to an elevator shaft and one converted to an ADA-compliant restroom on each level. As the design has developed, the most logical place to run the electrical, mechanical and plumbing systems in the building has been through the light shafts. The Committee thought that at least two of the light shafts might be able to be recovered. However, during additional investigation, the architects found that the light shafts are presently filled with services, because they don't fit anywhere else in the State Capitol. CSHQA has proposed that they be allowed to utilize the light shafts for technology, power risers, backbones, and distribution of other needed services for the Statehouse.

Commissioner Erstad and the Design/Construction Committee believe that this is the most logical and prudent use of the space. The Design/Construction Committee has asked the design architects to maintain the spirit of the light shafts by creating artificial lighting in the light shafts. They were going to do this in two of the shafts in any case; now the Design/Construction Committee has asked the architects to do this in all four shafts in order to keep the flavor and intent of the original design.

Commissioner Guerber said that since it is necessary to have artificial light in two of the light shafts, that the light shafts will match better to have artificial light in all four shafts. Commissioner Guerber continued that if some other locations are used for infrastructure needs, the cost will be substantially higher and access will not be as convenient or functional. Finally, by using natural light, it will not filter down as far as the basement and artificial light will make the light reasonable and appropriate on all levels. Commissioner Erstad said the current light shafts are not admitting any light. John Maulin, CSHQA, said they will present the final lighting design at a later point. Several options they are checking include fiber optics, neon,

fluorescent, or a system that simulates the light at different times of the day.

Commissioner Hartgen pointed out that the Master Plan highlighted the value of the light shafts as a functioning light source. He asked if it is necessary to change the Master Plan by making the light shaft change. Jeff Shneider, CSHQA, said that from the beginning it was a blended system. This will be a better lighting system than attempting to filter sunlight down from four floors. Historically, according to Mr. Shneider, it appears that the light shafts were not used for very long if at all and that there was not a choice of where to put the additional elevator except in the light shaft. Commissioner Erstad said that this decision will still respect the intent of the Master Plan.

Chairman Eiguren asked about the new elevator and if it had always been intended to be placed in one of the light shafts. Commissioner Erstad said that to have an elevator large enough to carry a gurney, that the light shaft was the only option. Chairman Eiguren asked if the light in all four light shafts will look the same; Jeff Shneider said yes, the architects are attempting to achieve this. Chairman Eiguren asked that CSHQA provide a mock-up and a schematic plan before the final work is done on the light shafts.

Motion: Commissioner Erstad moved, Commissioner Guerber seconded, and it passed with one no vote (Commissioner Smyser) that the Commission accept the proposed design change to the Master Plan to provide artificial light in all four light shafts with the contingency that final approval be given after the Commission has seen the mock-up of the design schematic.

Construction Issues

Update on Enhanced Security

Commissioner Ahrens reported on the enhanced security in the Statehouse. Following the February incident in the Senate last year, Legislative Leadership asked Commissioner Ahrens and Idaho State Police Director Ed Strickfaden to make recommendations for possible security measures in the State Capitol. Part of the recommendations included a magnetic locking system that can be centrally locked like the other buildings in the Capitol complex. Secondly, Legislative Leadership requested three additional updated digital cameras in the gallery. Finally, Leadership requested evacuation chairs be purchased for use until the building is remodeled. Commissioner Ahrens reported that the locking system has been installed with keypads and magnetic strips. Statehouse employees are being issued magnetic cards; all state employees will have these cards. The cameras are being installed

and entry to the State Capitol has been restricted to two entrances, the State Street entrance and the Jefferson entrance. Citizens will still have access to the State Capitol, although guards may search backpacks. Tim Mason, State Facilities Manager, is coordinating all security-related projects.

Commissioner Smyser asked if the restriction to two entrances is permanent or for a specific duration. Commissioner Ahrens said that until the Idaho State Police and the Idaho National Guard gives the Department of Administration any indication, the security measures will be kept in place. There may be exceptions for special events like the upcoming tree lighting ceremony. Basically it all hinges on the level of alert of the State.

Chairman Eiguren asked if the Idaho Capitol Commission needs to take any action such as a modification to the Master Plan. Commissioner Ahrens did not believe that any action need be taken by the Commission. If the security plan requires a metal detector, Commissioner Ahrens said that the Legislature will need to approve that.

Construction Issues

Update on Exterior Stairs Replacement/Masonry Repairs Project

Jan Frew updated the status of the exterior stairs replacement and masonry repairs. The scaffolding is still in place, although colder weather has slowed the pace of work on the State Capitol. A portion of the new east side stairs needs to be torn out and redone and the subcontractor will demolish the stairs on the weekend of December 8 and 9. Jan Frew said she hopes that the east stairs will be opened by the time that the State Legislature is in town, but that it is dependent on the weather if all work can be completed by then. The work on the west stairs will begin after the State Legislature has left town. Jan Frew said that everything on the outside of the State Capitol should be completed prior to the National Governor's Conference this summer.

Commissioner Hartgen asked if it is the expense of the subcontractor to fix the bottom lower section on the east stairs. Jeff Shneider said yes, this is at the expense of the subcontractor since they poured too many steps at the same time.

Approval of Change Order Protocol

Jan Frew reviewed the attached Change Order Protocol that she has written and that the Design/Construction Committee has approved. To facilitate efficient progress during the remainder of construction, the Design/Construction Committee would like the Commission's approval to make changes similar to their ability to make changes during design. However, they would not make any changes in space use, any changes involving deviations from the Master Plan, or any significant changes from the approved Construction Documents without the approval of the Idaho Capitol Commission, by telephone conference if there is not time to call a full meeting. The Project Manager would have the authority to make changes under this Protocol as long as they do not constitute a change in the intended scope of work and as long as he regularly reports to the Design/Construction Committee. The Design/Construction Committee will authorize any Scope of Work changes in writing prior to the work proceeding.

Motion: Commissioner Erstad moved, Commissioner Smyser seconded, and it passed unanimously to accept the attached Design Construction Change Protocol as outlined by Jan Frew.

Jeff Shneider reported for CSHQA that they are comfortable with the Design Construction Change Protocol and that it is similar to what they worked under during the Boise Airport project.

Budget & Funding Issues

Revenue

Status of the Commission Funding Program

Chairman Eiguren reported that he has been working on the funding program for the Idaho Capitol Commission and in this regard made a presentation of the funding program to the Legislative Council and to the JFAC Committee while they were in town. Neither body made any objection to the Idaho Capitol Commission moving forward and Chairman Eiguren said the Commission will proceed as suggested earlier. He has spoken with the Governor, the Governor's staff, and with Mr. Mueleman and the State Building Authority. The State Building Authority is ready to put together the agreement between the Department of Administration and the Capitol Commission to move forward in funding. At this point, it appears that action will be completed on the agreement sometime in January.

License Plates

Commissioner Bianchi reported on information following the Governor's review of the Idaho Capitol Commission license plates. There is updated technology that the Department of Transportation has described using new flat plate digital technology that might now be available to the Commission and which was not available previously. It appears the cost will be similar and it might enhance the salability of the license plates since they would be unique. Commissioner Bianchi offered the Commission the option to reconsider its license plate recommendation. Chairman Eiguren said it is his understanding that the Capitol Commission would need to reconsider the design in order to incorporate this new technology. Commissioner Smyser said that some of the designs the Commission looked at before were too expensive, but now it appears that they will be affordable with the new technology. Commissioner Erstad asked what this will do to the timeline if the Commission reconsiders the license plate design – if it will add three or four months to the process and to the beginnings of the fundraising. Commissioner Bianchi said that he believes that the reconsideration could happen quickly and that the Commission could speed the process.

Motion: Commissioner Smyser moved, Commissioner Hartgen seconded, and it passed unanimously to reconsider the action previously taken on the license plates, to gather the information on new technology, and to bring it back to the Commission at the next meeting.

Capitol Endowment Fund Balance

Chairman Eiguren called on Rick Thompson, Administrator, Division of Internal Management Systems, Department of Administration to discuss the Capitol Endowment Income Fund balance. He reviewed the attached "Idaho State Capitol Commission FY 2002 Budget Report" and said that to date the funds available to the Commission total \$36.2 million. There are decreased interest earnings which analysts find not surprising considering the economy; these earnings should remain down for the foreseeable future. According to Rick Thompson, in November the department moved \$2.5 million from the short term income fund account to the long-term account in order to generate additional income. The budget complies with the Governor's 1% holdback. Once the revenue from the sale of license plates starts coming in, it will move directly to the Capitol Commission. Chairman Eiguren reviewed that of the \$35 fee for the license plate, \$25 goes to the Capitol Commission account and \$10 goes to the Department of Transportation to cover its costs. There is a \$5,000 set up cost for which the Capitol Commission has already budgeted.

Expenditures

Rick Thompson distributed the attached 2003 budget. He said that during discussions with Chairman Eiguren, they have established a maintenance budget with flexibility in all areas except personnel. Commissioner Smyser suggested that the Commission not present the budget beyond the maintenance level (\$234,800) to JFAC; Commissioner Bianchi pointed out that technically the Capitol Commission operates on a dedicated fund not subject to holdbacks and that the Capitol Commission does not operate on a general account appropriation. Commissioner Hartgen suggested that by submitting a \$227,756 revised budget, which would include the 3% total holdbacks ordered by Governor Kempthorne, the Capitol Commission would be proactive in voluntarily complying with holdbacks even though the Commission operates on a dedicated fund not subject to holdbacks. Commissioner Ahrens said that she also believes a new budget this year should be predicated on the 3% holdback required for State Government.

Chairman Eiguren said that by submitting the lower budget figure to JFAC, it is more of a political gesture by the Capitol Commission, expressing an attempt to respond to the current fiscal emergency. Commissioner Ahrens agreed that even dedicated funds will be carefully scrutinized by the Legislature this year. Commissioner Guerber said since the Commission has dedicated moneys coming in, it will not affect other state agencies that draw on the General Fund. Commissioner Smyser sees it as appropriate to submit a \$227,756 budget considering the economy of the state.

Motion: Commissioner Hartgen moved, Commissioner Smyser seconded, and it passed unanimously to submit a \$227,756 budget figure, which is the Commission's current maintenance level budget minus 3%.

Access/Use/Administration

Display Case Presentations

Commissioner Guerber explained that one of the display cases is deteriorating due to exposure to natural light and the Capitol Display Committee requests permission from the Capitol Commission to close that display case which has items in it from the Apollo XVII mission of 1972, the Skylab Space Station of 1973, the 1986 Challenger mission, and the first manned lunar landing. The flags and photos are fading and the Committee would like to turn the artifacts over to the

Historical Society to use for an expanded display, perhaps in the new wing of the Historical Museum.

Motion: Commissioner Erstad moved, Commissioner Ahrens seconded, and it passed unanimously to accept Commissioner Guerber's recommendation to preserve the artifacts by removing them from the display case and for the Historical Society to prepare another display for the empty display case.

Commissioner Guerber added that the Design/Construction Committee has asked the Display Committee to provide the Design/Construction Committee with a recommendation of what would be appropriate displays in the State Capitol after the completion of the renovation. Chairman Eiguren said he would like the architect or Commissioner Guerber to look at the historical context of any permanent displays or wall coverings, along with the Display Committee.

Status of Historic Capitol Trees

Commissioner Ahrens introduced Tim Mason, State Facilities Manager, Division of Public Works, to talk about the viability of the historic trees on the grounds of the State Capitol. Mr. Mason said that the Harrison Tree, which produced 800 acorns, has only a 2% viability rate according to tests by the University of Idaho. Looking at the tree, it appears worthwhile to keep fracturing the ground and applying Zamzow's "Save a Tree" solution to maintain improvement. The Roosevelt Sugar Maple seeds have been collected and sent to BSU; results should arrive after the first of the year. The Taft Ohio Buckeye tree has not produced seeds for three years, but the department continues to treat it with the Zamzow's solution in hopes of regeneration.

Next Meeting

The Capitol Commission postponed setting a date for the next meeting. The standard meeting, which is held early in the year, is typically planned in conjunction with the JFAC presentation, usually in February. However, the Commission may need to act on a Building Authority agreement sometime during the month of January. The January meeting, if it is necessary, could perhaps be done by teleconference, although the February meeting would likely require a full physical meeting.

Adjournment

The December 3, 2001 Idaho Capitol Commission meeting adjourned at 5:00 p.m.

Roy Lewis Eiguren, Chairman
Idaho State Capitol Commission

Carole Schroeder, Capitol Commission Assistant
Department of Administration