

MINUTES

of the teleconference of

THE CLEMSON UNIVERSITY BOARD OF TRUSTEES

**E-305 Martin Hall
Clemson University
Clemson, South Carolina
Tuesday, December 16, 2003**

After notification as required by the Freedom of Information Act, the Chairman called the meeting to order at 2:02 PM with the following members present: Leon J. Hendrix, Jr., *presiding*; J. J. Britton, Lawrence M. Gressette, Jr., Thomas C. Lynch, Jr., Louis B. Lynn, Leslie G. McCraw, Thomas B. McTeer, Jr., Robert L. Peeler, William C. Smith, Jr., Joseph D. Swann, W.G. DesChamps, Jr., and J. Thornton Kirby, *Executive Secretary*

ADMINISTRATION PRESENT: President James F. Barker, John Kelly, Scott Ludlow, Almeda Jacks, Debbie Jackson, and Marvin Carmichael

OTHERS PRESENT: Bob Wells, Neil Ogg, Beth Jarrard, Barry Anderson, Verna Howell, and Janice Kleck

MEDIA PRESENT: Anna Simon, *Greenville News*, and Jean Scott, *Anderson Independent*

Item 1. Introductions

Statement: Chairman Hendrix asked Executive Secretary Kirby to call the roll of Trustees participating by phone and to introduce guests in the room where the call was being initiated. After doing so, Mr. Kirby advised the Chairman that a quorum of the Board was present for the meeting.

Item 2. Budget and Finance Committee

Statement: Chairman Hendrix called on Bill Smith to convene the Budget and Finance Committee for the purpose of considering two action items. Mr. Smith thanked the Chairman and convened the Budget and Finance Committee at 2:04 PM.

Following the meeting of the Budget and Finance Committee, Chairman Hendrix reconvened the meeting of the full Board at 2:27 PM. Mr. Smith reported that the Committee had approved two construction projects, and he noted that all Trustees present for the Board's teleconference had heard the Committee's deliberations.

A. SC Highway 93 West Site Improvements

Statement: The South Carolina Highway 93 widening project is nearing completion. SCDOT expects to have all four lanes open to the public by January 1, 2004.

At the request of the University, the project was designed with an island median similar to the SC 93 island median on the eastern side of campus. Landscaping the island and the roadway shoulders allows for the creation of a graceful entry to the campus.

The project consists of soil preparation, irrigation and landscaping of the SC 93 island median and road shoulders from the intersection with Perimeter Road to the intersection with Seneca Creek Road. Landscaping will consist of maturing trees, shrubs and ground covers and be similar in character to the landscaping on SC 93 East.

Construction is scheduled to begin in January 2004 upon completion of the SCDOT Highway 93 widening project. The winter months are the ideal time of year to plant. The Substantial Completion date is April 2, 2004.

The Landscape Architect-of-Record is Barrett Anderson, ASLA of the Campus Master Planning Office.

Bids were opened on Wednesday, October 22, 2003 at 2:00 PM. Prices were requested for a Base Bid and two alternates. Alternate #1 requested a price to for irrigation, soil preparation and planting of Area #1, the road shoulders from Seneca Creek Road to the YMCA entry. Alternate #2 requested a price for the same scope of work in Area #2, the road shoulders from the YMCA to the bridge.

Two firms submitted bids. Sodfather, Inc. incorrectly filled in their alternates and requested permission, which was granted, to withdraw their bid. The low responsive and responsible bidder is Merritt Brothers, Inc. of Easley, South Carolina. Their bid of \$286,134.90 for the Base Bid and both alternates is within the funds available for construction.

Merritt Brothers has successfully executed several campus projects including Highway 93 East site development as a subcontractor and the Madren Center landscaping as a prime contractor. Gene Merritt, co-owner, will serve as the Project Manager and the Superintendent and will be named in the construction contract. The contract states that Mr. Merritt cannot leave the project except with the consent of the University. In addition, the replacement project manager and superintendent must be approved by the University.

Further, Clemson through the bid documents encourages minority participation. In accordance with State procurement law Clemson is required to award contracts to the lowest responsible bidder regardless of minority business enterprise (MBE) status of the bidder or subcontractors. However, Clemson University encourages and accounts for MBE participation in its capital construction program. All bidders are requested to make a good faith effort to solicit subcontractor and supplier bids from certified minority

businesses. After contract award, the contractor must submit with the first pay application an initial report with the name of any MBE firms, their South Carolina MBE certification number, the nature of the subcontract, and the value of the subcontract. Subsequent quarterly reports that update the MBE list are required until the project is substantially complete.

The Administration requested authorization to award a construction contract in the amount of \$286,134.90 to Merritt Brothers, Inc. of Easley, South Carolina.

B. Fraternity Residence Hall Renovations

Statement: As part of its ongoing capital improvement plan, University Housing has decided to renovate the five fraternity dormitories which total 120,000 gross square feet. Built in the late 1930's these buildings were originally called barracks four, five, six, seven, and eight. They were renovated in the early 1970's and renamed for original life trustees Bowen, Bradley, Wannamaker, Donaldson, and Norris. They have housed the University's Interfraternity Council groups since the late 1950's. Systems in these buildings have reached their normal life expectancy thus requiring major renovations.

The current capacity of the fraternity area is 636 residents in double occupancy rooms. While popular with fraternity members, these buildings have not been fully utilized by these groups in recent years resulting in room assignments to non-fraternity male students. To these students, the fraternity buildings are undesirable and mid-year room changes are common resulting in vacant rooms during the Spring Semester. The renovated fraternity area will reduce student capacity to more closely meet the projected fraternity needs.

A total of thirteen fraternities were housed in the buildings in the 2002-2003 academic year. These groups are currently housed off campus at temporary leased apartments in Tiger Towne Village on Old Stone Church Road. The renovated fraternity area will house eighteen fraternities including two National Pan-Hellenic Council groups and sixteen Interfraternity Council groups.

The fraternities have also seen dwindling numbers of leaders and upper classman residing in the fraternity area over the years. This can be attributed to a number of factors including lack of private rooms, lack of traditional fraternity house amenities, and the aged condition of the buildings. This project will address these needs as part of its scope to retain student leaders and upperclassman on campus.

Project goals as identified in the program are as follows:

- New and renovated buildings should retain the architectural context of the existing buildings.
- The design should recognize and promote the goals of the fraternity living experience unique to Clemson University.
- The design should be flexible enough to accommodate various other types of resident users in the future.

- The type of housing desired for the fraternity complex could best be described as a “community of houses.”
- Clemson University and representatives members of the fraternities would like to increase the number of leaders and upperclassmen living in the fraternity complex.
- Provide an improved study atmosphere.
- Acknowledge the existing difference in the “upper quad” and “lower quad” and redesign the facilities so all are considered equal.
- The design should strengthen pedestrian and vehicular connections to other campus facilities giving strong recognition to the Campus Master Plan.
- Utilize principals of sustainable design with a goal of attaining a LEED’s rating of silver.

The project consists of a complete renovation of 120,000 square feet of the five fraternity buildings with the only saved features being the exterior walls, structural framing, raised floor slabs, & roof trusses. Clay tile roofs will be replaced. All interior architectural features will be demolished along with exterior stairways added in the 1970’s. Exterior renovations to the existing buildings will return them to their original design from the 1930’s. All mechanical, electrical, plumbing, telecom/data, and life safety systems will be removed and replaced including state-of-the art fire suppression and fire alarm systems. The project site will be completely reworked including new sidewalks, landscaping, plazas, parking, and lighting. New utility services will be provided as well.

To meet the project program approximately 18,000 square feet of new construction will be added. This is concentrated into two new buildings (9000 square feet each) located on the east end of the site between the upper quadrangle and Godfrey Hall. These new buildings will be architecturally consistent with the existing buildings. Also, the main entry to Norris Hall will be significantly modified to provide a new open-air pedestrian portal allowing for flow to/from the quadrangle to campus.

Interior renovations will dramatically change the floor plans from barrack type arrangements to more traditional fraternity houses. This includes kitchens, dining rooms, chapter rooms/lounges, study rooms, communal bathrooms, double occupancy rooms (for underclassmen), single occupancy rooms (for upper classmen), and leadership suites (for fraternity officers).

A total of eighteen fraternities will be housed in the new complex. These will range in size from eight to thirty-eight residents. After renovation, a total of 442 students will reside in the fraternity area. Fraternity houses are categorized as follows:

- Two very small with 8 - 10 residents each
- Seven small with 18 to 20 residents each
- Six medium with 25 – 28 residents each
- Three large with 36 – 38 residents each

These sizes were developed with Clemson's Office of Greek Life based on projected fraternity membership. Houses will be located as follows in buildings.

- Norris Hall – three large size fraternities
- Wannamaker Hall – one small and two medium size fraternities
- Donaldson Hall – one small and two medium size fraternities
- Bowen Hall – three small size fraternities
- Donaldson Hall – two very small and two small size fraternities
- North new building – one medium size fraternity
- South new building – one medium size fraternity

The project will be LEED silver certified as required in the project program.

The Architect-of-Record is Hanbury, Evans, Wright, & Vlattas Architects of Norfolk, Virginia teamed with Michael Keeshen & Associates Architects of Greenville, South Carolina.

Bids were opened on Wednesday, December 10, 2003 at 2:00 PM. Prices were requested for a Base Bid with no alternates.

Three companies submitted bids. The apparent low responsive and responsible bidder is The Evergreen Corporation (doing business as Evergreen Construction) of Atlanta, Georgia. Their Base Bid of \$21,195,000.00 is \$1.5M (7.6%) over the target construction budget. Procurement rules permit the University to negotiate with the apparent low bidder. Preliminary discussions with Evergreen and their major subcontractors have identified numerous items that can be eliminated or modified without impacting quality or scope intent. In order to keep the project on target for a fall Semester 2005 opening, the professional staff is confident a value engineering exercise can reduce the project to the target construction budget.

The Evergreen Corporation has no previous experience with Clemson University or any other South Carolina State agency. However, preliminary due diligence, including review of the project resume and contacts of several previous clients, indicates a successful work history with higher education clients.

The bid documents state that both the University and the Architect/Engineer must approve Evergreen's project manager and their superintendent and that these individuals be named in the construction contract. (The University is currently doing due diligence on the proposed individuals.) The documents further state that neither can leave the project except with the consent of the University and the Architect/Engineer unless they cease contractor employment. The replacement project manager or superintendent must also be approved by the University and by the Architect/Engineer.

Further, Clemson through the bid documents encourages minority participation. In accordance with State procurement law Clemson is required to award contracts to the lowest responsible bidder regardless of minority business enterprise (MBE) status of the

bidder or subcontractors. However, Clemson University encourages and accounts for MBE participation in its capital construction program. All bidders are requested to make a good faith effort to solicit subcontractor and supplier bids from certified minority businesses. After contract award, the contractor must submit with the first pay application an initial report with the name of any MBE firms, their South Carolina MBE certification number, the nature of the subcontract, and the value of the subcontract. Subsequent quarterly reports that update the MBE list are required until the project is substantially complete.

The Administration requests authorization to award a construction contract, pending expiration of the protest period and completion of due diligence, in the amount of \$21,195,000.00 to The Evergreen Corporation (doing business as Evergreen Construction) of Atlanta, Georgia. Immediately after contract award, a deduct change order will be issued reflective of the value engineering items.

Action: On behalf of the Budget and Finance Committee, Mr. Smith made a motion to award a construction contract in the amount of \$286,134.90 to Merritt Brothers of Easley, South Carolina for the SC Highway 93 West Site Improvements, and to award a construction contract in the amount of \$286,134.90 to Merritt Brothers of Easley, South Carolina for the Fraternity Residence Hall Renovations. There was no additional discussion, and the vote of approval was unanimous.

Mr. Smith thanked Chairman Hendrix and reported that the Committee had no further business.

Item 3. Adjourn

Statement: Chairman Hendrix asked if there was any other business to come before the Board. There being none, a motion was made to adjourn and the vote of approval was unanimous. Chairman Hendrix adjourned the meeting at 2:35 PM.

Respectfully submitted,

J. Thornton Kirby
Executive Secretary to the
Board of Trustees