

MINUTES

LEGISLATIVE COORDINATING COUNCIL

December 11, 2002

Members present:

Speaker Kent Glasscock, Chairperson
President Dave Kerr, Vice-Chairperson
Senator Anthony Hensley, Minority Leader
Senator Lana Oleen, Majority Leader
Representative Shari Weber, Majority Leader
Representative Clay Aurand, Speaker Pro Tem

The meeting was called to order by Speaker Glasscock at 8:10 a.m. in Room 123-S, State Capitol.

CONSENT AGENDA

Senator Oleen moved that the minutes of the November 20, 2002, meeting be approved. President Kerr seconded the motion and the motion carried. President Kerr moved that the Senate Committee on Organization, Calendar and Rules (including Senator Brungardt) be authorized one meeting day prior to the 2003 legislative session. Representative Aurand seconded the motion and the motion carried.

CAPITOL PRESERVATION AND RESTORATION PROJECT

Speaker Glasscock called upon Barry Greis, Capitol Architect and Project Manager, to present the booklet entitled "Kansas Statehouse Program, Responsibilities, & Budget Review" and to distribute copies of the booklet, dated December 11, 2002, to the members of the Council. Mr. Greis gave an overview of the matters to be presented and introduced, Mike Treanor, Treanor Architects, and Greg Lynch, J.E. Dunn, as participants in the presentation. He stated that these matters had been presented in similar form to the Steering Committee for Capitol Restoration at its meeting on November 20, 2002, and were being brought to the Council for further review and action in accordance with the recommendations of the Steering Committee.

Mr. Greis proceeded to explain the format and content of the Capitol Restoration Monthly Status Report form in Tab B. This form

will contain monthly updates on the Financial Budget, Construction Timeline, Current Activities (in categories of design, construction and administration for the project), Future Activities (architect, construction and administration) and Risk Management (with descriptions of the risk, rated as low, medium or severe, and a mitigation statement). These monthly reports will be prepared by Mr. Greis and submitted or presented to the Council.

Mr. Greis presented and explained the provisions of the document entitled Capitol Restoration and Preservation Roles and Responsibilities, under Tab C. He stated that this document sets forth the proposed statement clarifying the roles and responsibilities of the Council and the Department of Administration and others regarding this project in the areas of owner intent, approval process and governance. In general, the Council is responsible for project scope, program, budget and funding, project requirements, and oversight. The Department of Administration is to implement the scope, requirements, program and budgets as approved by the Council.

The provisions of the Capitol Restoration and Preservation Roles and Responsibilities statement are set forth below:

CAPITOL RESTORATION AND PRESERVATION ROLES AND RESPONSIBILITIES

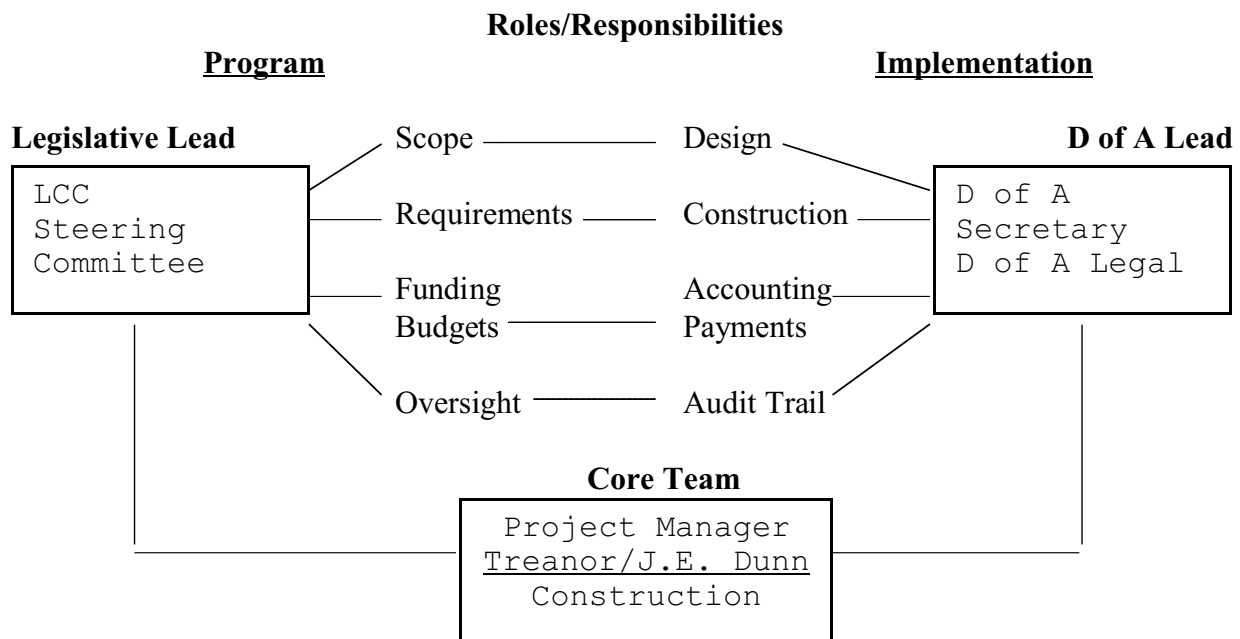
Owner Intent

Pursuant to K.S.A. 2001 Supp. 75-2262, the \$40 million Statehouse Project is the joint responsibility of the Secretary of Administration and the Legislative Coordinating Council (LCC). Pursuant to section 13(1) of chapter 216 of the *2001 Session Laws of Kansas*, the Department of Administration is authorized to carry out a \$15 million Capitol Complex Parking Garage Project, which is substantially related to the Statehouse Project. The LCC and the Secretary of Administration both desire the Statehouse Project and the Parking Garage Project to be carried out under identical roles and responsibilities and treated as a single project pursuant to the provisions set forth below.

The LCC is responsible for project scope, program, budget/funding, project requirements, and oversight. The Department of Administration shall implement the scope, requirements, program and budgets. Thus the Department implements:

- Architect designs to meet LCC scope;
- Construction to satisfy LCC requirements;
- Accounting/payments that align with LCC approved budgets and funds; and
- Audit trails that fully satisfy LCC oversight responsibilities.

Since the State is the owner, it is important that all contracts clearly reflect who is responsible in the State for owner approvals. The LCC is responsible for programmatic decisions; while the Department of Administration is responsible for implementation. The state's Project Manager (PM) works for the LCC and the Department of Administration. The PM serves the LCC in the role of Statehouse Architect and serves the Department of Administration in the role of Project Manager. When a responsibility or action involves implementation, the PM's authority is from the Secretary for the Department of Administration. When a responsibility or action involves program or funding, the PM's authority is from the LCC. When actions and decisions overlap, the PM will draw authority from both the LCC and the Secretary for the Department of Administration. The following graphic depicts the dual authorities which control the project, with the understanding that the LCC is the authority of last resort on issues that may conflict between the Department and LCC.



As the graphic shows, the Project Architect (Treanor) and Construction Manager (J. E. Dunn) form a core team working under the direction of the Project Manager. Construction contractors work under the direction of J.E. Dunn's Construction Manager, who is assisted by Treanor on activities related to design requirements, substantial completion, and punch lists/inspections.

The Architect (Treanor) handles all designs/drawings/specifications, prepares preliminary budgets, provides field inspection services, recommends on completion, reviews change orders, and assists the Project Manager on architecture issues and project administration. Other duties are covered in the Architect contract.

The Construction Manager implements architect designs, provides assurances on design construct ability, handles multi-bid packages, and prepares GMP amendments with assistance from Treanor and the Project Manager. The Construction Manager directs the overall implementation of construction activities, provides budget estimates, and assists the Project Manager on construction issues and project administration. The listing of responsibilities reflects major duties of the Architect and Construction Manager. Additional responsibilities are covered in the Construction Manager contract and the Architect's contract.

Approval Process

1. All GMP amendments, Addenda to the Contract for Architectural Services (Addenda), change orders, other contracts, contract documents or monetary commitments of whatever nature that change any LCC approved phase project scope or are not within the funded budget must be briefed by the PM and Architect to the Secretary of Administration, and the LCC or its designee, and the PM and Director of the Division of Facilities Management (DFM) shall provide their recommendations. The LCC or its designee and the Secretary of Administration must approve all such GMP amendments, Addenda, change orders, other contracts, contract documents or monetary commitments of whatever nature. The Secretary of Administration and PM shall sign all such documents.
2. All GMP amendments, Addenda, change orders, other contracts, contract documents or monetary commitments of whatever nature which are within the funded budget and LCC approved phase project scope may be approved by the Secretary of Administration and signed by the Secretary of Administration

and PM. If it is unclear to the PM or Secretary of Administration that a particular GMP amendment, Addenda, change order, other contract, contract documents or monetary commitment of whatever nature is within the funded budget or within the LCC approved phase project scope, the provisions of paragraph 1 above shall be followed. The Director of DFM and the PM shall provide the Secretary of Administration their recommendations.

3. Except for items requiring approvals pursuant to paragraph 1 or 2 above, the PM and Secretary of Administration shall approve and sign any GMP amendments, Addenda, change orders, other contracts, contract documents or monetary commitments of whatever nature which do not affect the LCC approved phase project scope, approved budget, or approved project timeline.
4. All GMP amendments, Addenda, change orders, other contracts, contract documents or monetary commitments of whatever nature shall be reported by the PM to the Secretary of Administration and LCC or its designee, at least monthly.
5. Whenever matters relating to the capitol renovation project require approval of the LCC or its designee and a particular approval item requires, in the opinion of the Secretary of Administration, an expedited decision, such item may be approved by the President of the Senate and Speaker of the House, upon request of the Secretary of Administration, after review by the Director of Legislative Administrative Services. If any such approvals are granted, the Director of Legislative Administrative Services shall provide copies to all members of the LCC, the PM and the Secretary of Administration.

Governance

1. Whenever the LCC designates one or more persons to serve as a designee for the LCC for any capitol renovation project matter, such delegation shall be in writing and the LCC shall provide a copy thereof to the PM, Construction Manager, Architect and Secretary of Administration.
2. Any approvals required by the LCC shall be documented in the minutes of the LCC and a copy given to the PM and Secretary of Administration. Any approvals by an LCC designee shall be communicated in writing to the LCC and a copy thereof included in the LCC minutes.

Mike Treanor, Treanor Architects, explained the current project program, scope of work and sequence of work, under Tab D. Mr. Treanor used projections of the illustrations under Tab D to further depict selected features of the project, including

schematic and elevation drawings. He noted the layout of the parking garage which will have 551 parking spaces with an entrance on the north side of the capitol grounds. He described the new visitor's center and the new and remodeled offices, meeting rooms and other spaces that are planned for each floor of the Capitol under the project.

Greg Lynch, J. E. Dunn, continued the presentation by describing the sequencing and status of the work to date and for all the remaining phases planned for the project. He included illustrations of the garage excavation, the relocation of utilities and the four vault excavations, in addition to the restoration of each wing and the rotunda of the Capitol. He noted that the foundations of the east and west wings of the Capitol are not on bedrock like the north and south wings and the rotunda of the Capitol and so the project will include a shoring system and injection grouting to stabilize the soil under the east and west wings.

Mr. Greis continued the presentation by explaining the Capitol Restoration Construction Timeline Report form and the Capitol Restoration Financial Budget Report form. These reports will be prepared and submitted each calendar quarter. These reports will be signed by Barry Greis, as Project Manager, Mike Treanor, as Project Architect and by Gregg Lynch, for J. E. Dunn, as the Construction Manager. The current version of each report, dated December 11, 2002, is contained in Tab E.

Finally, Mr. Greis presented the Kansas Statehouse Preservation & Restoration Project & Program Funding Phases document, dated December 11, 2002, which is contained in Tab E in the booklet and which contains the following information:

REFINED PHASE I: Currently funded \$55 M

Parking Garage

Four underground vaults

Visitor Center Shell

Limited Vaults Mechanical / Electrical / Plumbing (MEP)

Install new Northeast elevator, new stair to Attic & temporary toilets

Selective demolition of East Wing

Temporary Office Relocations:

Relocate Senate Leadership to 2nd Floor North Wing

Relocate Committee Rooms to DSOB

Relocate Legislators into Committee Rooms in Statehouse

Relocate Governor's Staff from East to 2nd Floor North Wing

Relocate Division of Budget from East Wing to 5th floor LSOB

Provide parking in underground Parking Garage for legislators, staff & Division of Budget staff during Temporary Office Relocations to Statehouse, Landon (LSOB) & Docking State Office Buildings (DSOB) or other facilities as required
Complete Design Development & Construction Documents for East Wing
Begin Design Development & Construction Documents for West Wing

REFINED PHASE I:	Annual
Currently Funded	Budget
\$40 M Bonds Issued	\$3,174,750.02
\$15 M Bonds Issued	\$1,249,896.26
Annual Debt Service	\$4,424,646.28
Spend Down of \$55 M	6/2004

Parking Garage, North Vaults & Visitor Center Shell
Construction Schedule
Start: 12/01 Stop:6/04

REFINED PHASE II: New Funding \$19.8 M

East Wing Interior Restoration
Basement through Attic
East Wing Exterior Roof, Stone & Window Restoration
MEP for East Wing
Furnishings for East Wing
Housekeeping & maintenance tenant finish
Selective Demolition of West Wing
Temporary Office Relocations:
Relocate Division of Budget from LSOB to former Revisor of Statutes on 3rd & 4th Floors of Statehouse
Relocate House Leadership to 2nd Floor North Wing
Permanent Office Relocations:
Relocate Senate Leadership from North Wing to East Wing
Relocate Revisor of Statutes from 3rd & 4th floors of Statehouse to Ground Floor
Begin Design Development & Construction Documents for South Wing & Rotunda

REFINED PHASE II:	Annual
New Funding \$19.8 M	Budget
Annual Incremental Cost	\$1,683,893.88
Funding Authorized: 2004 Session	
Spend Down of \$19.8 M	

7/2005

East Wing
Construction Schedule

Start: 7/03

Stop:7/05

REFINED PHASE III: New Funding \$21.7 M

West Wing Interior Restoration
Basement through Attic

West Wing Exterior Roof, Stone & Window Restoration

MEP for West Wing

Furnishings for West Wing

Install permanent toilets adjacent to West Wing

Temporary Office Relocations:

Relocate Committee Rooms to DSOB

Relocate Legislative Offices, if necessary to DSOB

Permanent Office Relocations:

Relocate House Leadership from North Wing to West Wing

Relocate Legislative Offices, if provided, from DSOB to
Statehouse

Relocate Legislative Research from 5th floor to Ground
Floor

Relocate Governor's Staff from North Wing to 2nd floor
West Wing

Begin Design Development & Construction Documents for Visitors
Center Tenant Finish, North Wing & Rotunda

REFINED PHASE III:	Annual
New Funding \$21.7 M	Budget
Annual Incremental Cost	\$1,935,597.96
Funding Authorized: 2005 Session	
Spend Down of \$21.7 M	12 /2006

West Wing

Construction Schedule

Start: 5/05

Stop:12/06

REFINED PHASE IV: New Funding \$38.5 M

South & North Wings & Rotunda Interior

Basement through Attic

South & North Wings Exterior Roof, Stone & Window Restoration

MEP South & North Wings, Visitor Center & Rotunda

Furnishings for South & North Wings, Visitor Center & Rotunda

Visitor Center Tenant Finish

North Site Work at Visitor Center

Temporary Office Relocations:

Relocate Governor's Office from South Wing to 2nd floor
North Wing

Relocate Division of Budget from 3rd & 4th floors to
former Legislative Research on 5th Floor

Relocate Legislative Offices to North Wing

Permanent Office Relocations:

Relocate Governor's Office from North Wing to 2nd floor
South Wing
Relocate Committee Rooms from DSOB to Statehouse
Relocate Legislative Offices, if provided, from DSOB to
Statehouse
Relocate Division of Budget from North Wing to Ground
floor South Wing

REFINED PHASE IV:	Annual
New Funding \$38.5 M	Budget
Annual Incremental Cost	\$3,577,735.67
Funding Authorized: 2006 Session	
Spend Down of \$38.5 M	
	10/2010
South & North Wings & Rotunda	
Construction Schedule	
Start: 1/07	Stop:10/10

TOTAL PROJECT: Funding \$135 M

East, West, South & North Wings, Rotunda & Visitor Center
Interior - Basement through Attic
East, West, South & North Wings & Visitor Center Exterior
Parking Garage Interior & Exterior
4 Underground Vaults
MEP for East, West, South & North Wings, Rotunda & Visitor
Center
Furnishings for East, West, South & North Wings, Rotunda &
Visitor Center
North Site Work at Visitor Center

Temporary Office Relocations:

Relocate Statehouse personnel within Statehouse, LSOB &
DSOB or other facilities as required
Provide parking in underground Parking Garage for legislators,
staff & Division of Budget staff during Temporary Office
Relocations to Statehouse, LSOB, DSOB or other facilities
as required

TOTAL PROJECT:	Annual
Funding \$135 M	Budget
Annual Debt Service	\$11,620,655.95

Speaker Glasscock outlined the matters for action by the Council for the capitol restoration and preservation project and recognized President Kerr.

President Kerr moved that the overall program and sequencing

of work by funding phases as set forth in the Kansas Statehouse Preservation & Restoration Project & Program Funding Phases report in the Kansas Statehouse Program, Responsibilities & Budget Review booklet dated December 11, 2002, be approved for the project and that the Council request the Project Manager prepare budget reports and project status reports in the formats recommended by the Steering Committee for Capitol Restoration as set forth in the booklet. Representative Aurand seconded the motion and it was adopted unanimously.

President Kerr moved that the statement of the Capitol Restoration and Preservation Roles and Responsibilities contained in the booklet as presented by Mr. Greis, Project Manager, be adopted for the project. Senator Oleen seconded the motion and it was adopted unanimously.

President Kerr moved that the Council approve the relocation of the Budget Division to the Landon State Office Building during the specified construction phases of the project and approve the return of the Budget Division to the Capitol to occupy space vacated by the Revisor of Statutes when the new offices are completed for the Revisor of Statutes. Senator Oleen seconded the motion and it was adopted unanimously.

President Kerr moved that the Council approve the staff of the Budget Division to use statehouse surface parking and the new parking garage during the time they are located outside of the Capitol in the Landon State Office Building. The motion was seconded by Representative Aurand. In response to a question by Senator Oleen, President Kerr explained that this motion was to preserve and continue to provide the parking for the staff of the Budget Division on the Capitol grounds and in the parking garage when that becomes available during the project while they were temporarily relocated outside the Capitol. The motion was adopted by the Council unanimously.

Speaker Glasscock thanked Mr. Greis, Mr. Treaner, Mr. Lynch and Don Heiman for their work to prepare these matters for consideration and action by the Council. He stated that the actions taken will provide a stable basis for the work on the project to restore and preserve the Capitol.

OTHER MATTERS

Prior to the meeting members of the Council received a Policy 42 report from Ms. Hinton on outside employment of members of the Legislative Post Audit staff.

Mr. Furse suggested that the minutes of today's Council

meeting be mailed to the members of the Council for their approval. The Council members agreed to this approach.

President Kerr on behalf of the Council commended Speaker of the House Glasscock for his leadership, service on the Legislative Coordinating Council and service to the House of Representatives and the state of Kansas. President Kerr on behalf of the Council presented to Speaker Glasscock a plaque commemorating the Speaker's service with the Legislative Coordinating Council and the legislature. Speaker Glasscock thanked President Kerr and the Council for the plaque and expressed his appreciation to legislative staff for their assistance during the years of his service.*

On motion the meeting was adjourned.

Prepared by

Norman J. Furse,
Revisor of Statutes,
as Secretary

Approved by

Speaker Kent Glasscock, Chairperson

*Because Representative Weber was unable to attend this part of the Council meeting and because Representative Garner was unable to attend this meeting of the Council, a plaque commemorating their service with the Legislative Coordinating Council and the legislature was presented to each of them at a later date.