

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance

AGENDA ITEM: 6 – E (4)

DATE: August 7-8, 2019

SUBJECT

BOR Policy 6:5 – Building Committees (First & Final Reading)

CONTROLLING STATUTE, RULE, OR POLICY

[SDCL 5-14-1](#) – Classification of Capital Improvements

[SDCL 5-14-2](#) – Supervision by Bureau of Administration of capital improvement projects

[SDCL 5-14-3](#) – Preparation of plans and specifications for capital improvements - State building committees – Approval by board or commission in charge of institution

[BOR Policy 6:6 – Maintenance and Repair](#)

BACKGROUND / DISCUSSION

During the 2019 Legislative Session, the dollar level for maintenance and repair projects moved from \$1.5M to \$5.0M starting July 1, 2019. BOR Policy 6:5 needs to be updated to reflect that change so that it does not conflict with BOR Policy 6:6 where a maintenance and repair item is defined as a project up to \$5.0M.

IMPACT AND RECOMMENDATIONS

This policy draft has been reviewed by the Council of Presidents and Superintendents and the Business Affairs Council and they support the policy changes.

ATTACHMENTS

Attachment I – BOR Policy 6:5 – Building Committees

DRAFT MOTION 20190807_6-E(4):

I move to (1) waive the two-reading requirement of By-Laws Section 5.5.1, and (2) approve the first and final reading of the revisions to BOR Policy 6:5 – Building Committees as shown in Attachment I.

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Building Committees

NUMBER: 6:5

A. PURPOSE

To identify the makeup of a building committee, when a committee is required, and the responsibilities of the building committee.

B. DEFINITIONS

1. Capital Improvement: Any repair, rebuilding, renovation, alteration or construction project, that has a cost of ~~\$5.01-5M~~ or more, including all related phases, shall be classified as a capital improvement. (SDCL 5-14-3)

C. POLICY

The Board will appoint a Building Committee for each capital improvement project at the various schools and institutions in the System. The committee shall be appointed by the President of the Board and shall consist of the Executive Director who shall chair the committee, the president or superintendent of the institution or school, a Regent, and the State Engineer.

1. Committee Responsibilities

The building committee shall assume the following responsibilities:

- 1.1. The building committee shall interview and select architects for the purpose of developing and designing facilities. Architects may be contract for two phases: 1) the program plan development, if a formal A/E engagement is deemed necessary for this phase, and 2) the final design of the project. All A/E engagements relative to capital improvements, whether done by the institution, their Foundation, or a related entity, must go through a Building Committee. Any A/E firm that works on a master plan which includes specific designs or floor plans for buildings, in which the A/E firm was not selected by a Building Committee, will not be considered for the final design and development of any project contained in the master plan or preliminary concept development.
- 1.2. The building committee shall review proposed designs to assure their compliance with the requirements of Regents Policy Manual 6:4.
- 1.3. The building committee shall review proposed project budgets to assure their compliance with the requirements of Regents Policy Manual 6:4.

- 1.4. The building committee shall direct the state engineer to refer to it for additional review and approval all proposed design modifications that would affect the operating cost, utility or life expectancy of the capital improvement.
- 1.5. The building committee shall direct the state engineer to refer to it for additional review and approval of all proposed design modifications that would significantly affect the project budget.
- 1.6. The building committee shall direct the state engineer to advise if of all developments in the course of construction that might affect the legal rights or liabilities of the Board.
- 1.7. The building committee shall report to the full Board any developments that might affect the operating cost, utility or the life expectancy of the capital improvement, that might significantly affect the project budget or that might affect the legal rights or liabilities of the Board.

FORMS/APPENDICES:

None.

SOURCE:

BOR June 1991; April 1992; August 2006; June 2010; August 2017; _____.