

# STATE BUILDING COMMISSION MEETING

New Education Building, Suite 450, Raleigh, NC

9:30 AM

June 27, 2017

## AGENDA

### **I. CALL TO ORDER AND ETHICS STATEMENT**

### **II. APPROVAL OF MINUTES- MAY 9, 2017 MEETING**

### **III. EMERGENCY DECLARATION LETTERS**

- NC Department of Environmental Quality- Woodlake Dam Breach
- University of North Carolina School of the Arts- Capital Improvement

### **IV. SELECTION OF DESIGN FIRM**

Department of Administration  
Steam Distribution Improvements  
Raleigh, NC

### **V. SELECTION OF DESIGN FIRM**

Department of Administration  
NC Museum of Art - East Building Roof Replacement  
Raleigh, NC

### **VI. SELECTION OF DESIGN FIRM**

Department of Natural and Cultural Resources  
NC Museum of Art  
Museum Park Visitor Center  
Raleigh, NC

### **VII. SELECTION OF DESIGN FIRM**

Department of Natural and Cultural Resources  
NC Aquariums  
Roanoke Island Aquarium - Boiler, Generator, and Emergency Switch Replacement  
Manteo, NC

### **VIII. SELECTION OF DESIGN FIRM**

Department of Natural and Cultural Resources  
Division of Parks & Recreation  
Jockeys Ridge State Park – Sand Relocation  
Dare County, NC

### **IX. SELECTION OF DESIGN FIRM**

Department of Natural and Cultural Resources  
Division of Parks & Recreation  
Carolina Beach State Park – Campground Improvements  
New Hanover County, NC

### **X. SELECTION OF DESIGN FIRM**

Department of Transportation  
Wilson County Maintenance Assembly Office  
Wilson, NC

### **XI. SELECTION OF DESIGN FIRM**

Department of Transportation  
Swan Quarter Equipment Shop  
Hyde County, NC

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# STATE BUILDING COMMISSION MEETING

New Education Building, Suite 450, Raleigh, NC

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9:30 AM

June 27, 2017

## AGENDA

### **XII. SELECTION OF DESIGN FIRM**

Department of Transportation  
Division 9 District/Resident Engineers Office – Renovation & Addition  
Rowan County, NC

### **XIII. SELECTION OF DESIGN FIRM**

Department of Public Safety  
National Guard  
Lakota Helicopter Storage Facility  
Morrisville, NC

### **XIV. SELECTION OF DESIGN FIRM**

Department of Environmental Quality  
Division of Mitigation Services  
Pamlico Sound Oyster Reef Mitigation Project  
Hyde County, NC

### **VII. OLD BUSINESS**

### **VIII. NEW BUSINESS**

- Statement of Economic Interest (SEI) Memo

### **IX. STATE CONSTRUCTION OFFICE REPORT**

- Department staffing updates

### **X. SCHEDULE NEXT MEETING**

JULY 25, 2017

### **XI. ADJOURNMENT**

# STATE BUILDING COMMISSION MEETING



New Education Building, Suite 450, Raleigh, NC

9:30 AM  
MAY 9, 2017  
MINUTES

**MEMBERS PRESENT:** Chairman Aaron K. Thomas, Matt Messick, Kirby Robinson, Roger Woods, William Johnson, Michael Benson  
Susie Lewis, Blair Bordeaux

**OTHERS PRESENT:** Victor Stephenson, Latif Kaid, Ryan Scruggs, Melissa Dunston, Bob Talley, Jamalh Greene (SCO), Durwin Jones (NCDOJ),  
Lindsey Riddick, Mike Mountcastle (NCDOT), Toby Vinson (NCDEQ), Ron Collier, Dennis Hilton (NCDPI)

## I. CALL TO ORDER AND ETHICS STATEMENT

Chairman Aaron Thomas called the meeting to order at 9:30am and read the ethics statement.

## II. APPROVAL OF MINUTES

➤ Roger Woods made a motion to approve March 28, 2017 minutes, Michael Benson seconded the motion. Minutes were approved as written.

## III. EMERGENCY DECLARATION

Latif Kaid, Interim Director of the State Construction office, shared details about the Emergency Declaration Letters (request) submitted.

- NC Department of Environmental Quality- Breach of Gables Dam
- NC DHHS- Cherry Hospital water damage to electrical equipment due to Hurricane Matthew
  - Mike Benson recused himself from project discussions
- UNCG- Fire Damage to the Auditorium
  - Kirby Robinson requested process pertaining to timeline, funding and determination as to what classifies a project as an "Emergency"- Latif Kaid provided further information and shared process as it relates to life/safety.

## IV. SELECTION OF DESIGN FIRM

Department of Administration  
Old Revenue Building  
Interior Renovations Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

- 1) Swanson + Stewart Architects, PA (Durham, NC)
- 2) Smith Sinnett Architecture, PA. (Raleigh, NC)
- 3) Davis Kane Architects, PA (Raleigh, NC)

Motion by Susie Lewis to approve the Committee's recommendations, Blair Bordeaux seconded. The selections were approved as recommended.

## V. SELECTION OF DESIGN FIRM

Department of Transportation  
Century Center Office Relocation Raleigh, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

- 1) MHA Works (Durham, NC)
- 2) Andre Johnson Architect (Raleigh, NC)
- 3) Wesley M. Coble (Raleigh, NC)

Motion by Roger Woods to approve the Committee's recommendations, Blair Bordeaux seconded. The selections were approved as recommended.

## VI. SELECTION OF DESIGN FIRM

Department of Public Instruction  
Western NC School for the Deaf  
Campus Water Upgrades  
Morganton, NC

Ryan Scruggs presented the project. The following firms were recommended in priority order:

- 1) McGill Associates, P.A. (Asheville, NC)
- 2) Davis Martin Powell & Associates, Inc. (High Point, NC)
- 3) Mattern & Craig, Inc. (Asheville, NC)

Motion by Susie Lewis to approve the Committee's recommendations, Michael Benson seconded. The selections were approved as recommended.

## VII. OLD BUSINESS

Each committee gave updates and requested feedback on various task progress

## VIII. NEW BUSINESS

Requested information about membership status and Ethics Training

## IX. STATE CONSTRUCTION OFFICE REPORT

Latif Kaid shared updates/ information:

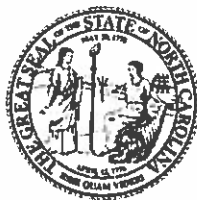
- Director changes and Latif is Interim
- Excited that BOND Positions are in progress but not all recommended were allotted to the department. Roger Woods made a motion to submit a Resolution to Legislators in support of original request of the NC CONNECT BOND positions and William Johnson seconded. Resolution submitted is attached.

## XI. SCHEDULE NEXT MEETING

➤ Next meeting scheduled for June 27, 2017

## XII. ADJOURNMENT

Roger Wood made a motion to adjourn; Michael Benson second.  
Chairman Aaron Thomas adjourned the meeting at 12:22 pm.



North Carolina

**STATE BUILDING COMMISSION**

May 9, 2017

Chairman, Aaron K. Thomas - Pembroke, NC

Susie Lewis- Cherryville, NC

Matt Messick, RA- Winston-Salem, NC

Blair Bordeaux, PE- Raleigh, NC

Roger M. Woods, Jr., PE- Raleigh, NC

Will Johnson, RA- Chapel Hill, NC

Kirby Robinson- Winston-Salem, NC

Michael Benson- Greenville, NC

**RESOLUTION ON STATE CONSTRUCTION OFFICE STAFFING FOR  
CONNECT NC BONDS**

WHEREAS, the State Building Commission is a statutory body, empowered by law to perform a multiplicity of duties with regard to the State’s capital facilities development and management program, and

WHEREAS, the State Building Commission has powers and duties with regard to the State’s Capital facilities development and management program to include continuously studying and recommending ways to improve the effectiveness and efficiency of the State’s Capital facilities development and management program and now therefore,

BE IT RESOLVED the State Building Commission recognizes that appropriate staffing levels at the State Construction Office are critical to timeliness and success of the Connect NC Bond program.

The State Building Commission, supports the request of the State Construction Director, to ensure these staffing levels are met; in the areas of contracts administration design review and construction monitoring.

Delays in project delivery timelines will result in increased costs thereby effecting project scope and delaying positive economic benefits to the citizens of NC.

5-9-2017

Chairman, Aaron K. Thomas, MCM, LEED-AP

Date



ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

June 8, 2017

Mr. Latif Kaid, P.E.  
NC State Building Commission  
1307 Mail Service Center  
Raleigh, NC 27699-1307

RE: Emergency Declaration – Temporary full breach of Woodlake Dam that was damaged during Tropical Storms Julia and Hermine and Hurricane Matthew

Mr. Kaid:

Under the provisions of 01 North Carolina Administrative Code 30D .0302(e), the Department of Environmental Quality (NCDEQ) has issued an emergency declaration for the Woodlake Dam in Moore County (Latitude 35.218, Longitude -79.19). In addition, NCDEQ's Division of Energy, Mineral and Land Resources (DEMLR) plans to exercise its authority under NCGS §143-215.32(c) and NCGS §143-64.31(a) to conduct a temporary full breach of the dam due to its current deficiencies, which if left uncorrected, could result in a failure causing loss of life and significant property damage downstream.

After Tropical Storms Julia and Hermine and Hurricane Matthew, DEMLR inspections confirmed that damage had occurred to 68 dams in North Carolina. Of those 68 dams, 22 were breached and 46 were damaged and in need of repair. More than 400 inspections were conducted during a 16-day period by DEMLR staff. The Woodlake Dam is one such dam and needs immediate action to abate the risk of loss of life and significant property damage downstream. Until now, the owner of the dam has been attempting to rectify the deficiencies, however DEMLR has received information that the owner of the dam will be unable to meet the requirements set forth in the Consent Judgement of Woodlake Dam, *State of N.C. ex. Rel. Regan v. Woodlake CC Corp.* (17 CVS 0082), issued by Judge Webb on March 15, 2017.

In its current condition, with the reservoir being completely drained and both bottom drains being fully open, 4.75 inches of rain in a 6-hour period could cause the damaged concrete spillway to flow which could cause further damage to the spillway and potentially breach the dam. In addition, 10.5 inches of rain in a 6-hour period could cause

Mr. Kaid  
June 8, 2017  
Page 2

the dam to completely overtop and therefore not only damage the spillway further, but also potentially breach the dam either by overtopping or by complete destruction of the spillway.

Independent breach analyses completed by North Carolina Dam Safety show that there could potentially be 1670 parcels within the inundation area of the Woodlake Dam. North Carolina Dam Safety used the 2014 county parcel data to estimate that the total damage to property could be in excess of \$260,497,483. The total value is based on parcel data that may not have been updated lately and it should be noted that not all parcels had values associated with them. In addition, this value does not consider the value of infrastructure that could be damaged such as highways, bridges, utility lines, water/septic treatment facilities, churches, emergency services, businesses, or county, state and federal property that has not been assessed by the tax office or the potential loss of life.

Under this declaration, the Department intends to expedite the procurement of qualified dam engineers for the design and construction oversight for the temporary full breach of the damaged Woodlake Dam. Breaching the dam is a measure essential to provide emergency protection to protect life and property downstream.

I am making you aware of this course of action so that your staff can provide guidance as you deem appropriate. If you have any additional questions, please contact Mr. Michael Shelton, Capital Projects Coordinator, at Michael.shelton@ncdenr.gov or (919) 707-8527.

Sincerely,



Michael S. Regan  
Secretary, NCDEQ

MSR/ted/bsc

Cc: John A. Nicholson, Deputy Secretary  
Rex A. Whaley, CPA, Director, Financial Services  
Tracy E. Davis, PE, CPM, Director, Division of Energy, Mineral, and Land Resources  
Brian Shane Cook, PE, LSIT, State Dam Safety Engineer, DEMLR  
Tommy Kirby, CPIM, CPM, Director, Purchasing  
Carolyn McClain, Esq., Attorney General's Office  
John Payne, Esq., Attorney General's Office  
Douglas Ansel, Esq., Office of General Counsel



STATE OF NORTH CAROLINA  
OFFICE OF STATE BUDGET AND MANAGEMENT

ROY COOPER  
GOVERNOR

CHARLES PERUSSE  
STATE BUDGET DIRECTOR

June 5, 2017

MEMORANDUM

TO: Senator Phil Berger, President Pro-Tempore of the Senate  
Representative Tim Moore, Speaker of the House of Representatives

FROM: Thomas Cheek, Assistant State Budget Officer for Statewide and Infrastructure  
*Thomas W. Cheek*

SUBJECT: Expenditures for Emergency Capital Projects — University of North Carolina  
School of Arts

In accordance with G.S. 120-76.1 the following expenditures were approved without consulting the Joint Legislative Commission on Governmental Operations because of an emergency that posed an imminent threat to public health or public safety.

North Carolina School of Arts: Emergency Capital Improvement Declaration

**Emergency Justification for repair of the Stevens Center Terra Cotta Cladding**

The terra-cotta cladding located at the ninth and tenth floors of the Stevens Center is falling off in multiple locations due to long-term water intrusion. An inspection indicated significant deterioration of the terra-cotta façade cladding and structural system. This has become a serious property damage and public safety issue that needs to be addressed as soon as possible.

The university has installed a protective scaffolding system at the sidewalk to effectively create a safe zone for pedestrians. The university intends to engage a local structural engineering firm to evaluate and design both short and long term solutions to protect public safety, limit additional damage, and repair the terra-cotta façade and cladding system. Costs of the scaffolding system and structural engineering are estimated to be between \$50,000 and \$100,000. Costs for any other mitigating solutions and repairs will be determined by the structural engineer.

If you have any questions, please don't hesitate to contact me at 919-807-4738.

cc: Charles Perusse  
Nels Roseland  
Kristin Walker  
Daniel Sater

Latif Kaid  
Mark Bondo  
Monica Scott  
Andrew Shaw

June 9, 2017

Good Afternoon Latif:

I hope this e-mail finds you well and looking forward to Summer!

The goal of the Commission is for all individuals who are covered under the State Government Ethics Act (Ethics Act) to remain compliant with all of its requirements at all times, including the ethics education training requirement. To accomplish this goal, **all individuals need to complete the required ethics education training within six (6) month of the date of their election, re-election, appointment or employment and, thereafter, complete a refresher training at least every two years. The two-year time period commences from the date that individual last completed the required training. To remain compliant with the education requirements of the Ethics Act, each individual must complete the required training prior to their initial or their next education due date, whichever is applicable to the individual.**

Pursuant to the Commission's goal of total compliance, **the Commission is continuing to audit education compliance** as, unfortunately, a few individuals continue to fail to complete their required ethics education training PRIOR to their education due date. **The Education Unit is notifying the Ethics Liaisons of State Agencies, Board(s) or Commission(s) that currently have individuals past due for their required ethics education training.**

This audit will have two components or phases; the first one is voluntary compliance and the second component is enforcement. The goal is to have all those who are currently past due for their required ethics education training immediately comply with the ethics education requirements of the Ethics Act upon being notified of their past due status by their board/commission or agency's ethics liaison. If one voluntarily complies within the stated time frame, then enforcement measures will not be necessary. However, if a past due individual fails to timely complete the required training and remains non-compliant his or her name will appear on an education non-compliance report which will be presented to the Commission for further action. The further action may include removal from one's public position.

The attached Compliance Report shows the following columns:

- Start Date - The date the individual started in their "covered" public position
- End Date – The date the individual's term is scheduled to end
- SEI Received Date - The date the State Ethics Commission received the individual's most recently filed Statement of Economic Interest (SEI)
- Education Received Date – the date the Individual last took the required Ethics Education Training
- Education Due Date – the date by which the individual needs to or was supposed to take the Ethics Education Training again.

**Please Note: If the date in this column is today's date or has passed then the individual listed in the row is past due for the required ethics education training.**

According to our records there are two individuals who are past due for their required ethics education training. The name(s) of the individual(s) is/are highlighted in yellow on the attached Compliance Report. *Note, that if you or the past due individual(s) has/have reason to believe that our records are incorrect regarding their "past due" status, please provide me with any documentation you or they may have regarding such and we will make any supported corrections to our records.*



# Building Commission, State

Run: 6/9/2017

Name	Start Date	End Date	SEI Received Date	Education Received Date	Education Due Date
Michael Benson	4/11/2014	6/30/2018	03/09/17 (NCF)	8/18/2016	8/18/2018
Blair Bordeaux	8/15/2014	6/30/2017	02/07/17 (NCF)	3/8/2017	3/8/2019
William C. Johnson	11/17/2016	6/30/2018	02/22/17 (NCF)		5/17/2017
Latif Kaid (EL)				9/16/2016	9/16/2018
Susan B. Lewis	7/1/2013	6/30/2019	02/10/17 (NCF)	3/19/2016	3/19/2018
Matthew D. Messick	8/28/2014	6/30/2017	02/27/17 (NCF)	4/13/2015	4/13/2017
Kirby J. Robinson	7/1/2016	6/30/2018	02/22/17 (NCF)	11/16/2016	11/16/2018
Laton K. Thompson	7/27/2014	7/10/2017	02/28/17 (NCF)	7/10/2017	7/10/2017
Roger M. Woods Jr.	8/15/2014	6/30/2017	04/13/17 (LF)	5/10/2016	5/10/2018

Please encourage these individuals to take the required training as soon as possible within the next two weeks. Your assistance is crucial. Live, distance and online training information can be found on our website at: [www.ethicscommission.nc.gov](http://www.ethicscommission.nc.gov) at the top of the page under the Education tab.

If a non-complaint individual fails to respond to your efforts and/or take the required ethics education training, that will indicate to our office a willing non-compliance with the Ethics Act.

We have also highlighted in green is the name(s) of individual(s) who have education due dates in June, July or August 2017. I recommend you remind these individual(s) to complete the training prior to their due date to avoid being part of the Commission's next compliance audit.

As always, if you have any questions, please contact me or my assistant Dottie Benz. Thanking you in advance for your assistance with this very important compliance matter.

Sincerely,  
*Sue Lundberg*

Susan R. Lundberg  
Education Attorney  
State Ethics Commission  
424 North Blount Street  
Raleigh, NC 27601-1010  
(919) 814-3600 (phone)  
(919) 715-1644 (fax)