



Special Minutes
State Capitol Expenditure Oversight Committee
Dec. 11, 2014
1:30 p.m.
Room 419C
State Capitol Building
Oklahoma City, OK

A meeting notice was filed with the Secretary of State and agenda posted in accordance with the Open Meeting Act.

MEMBERS PRESENT: Sen. Corey Brooks
Phillip Kennedy
Steve Mason
Rep. Mark McBride
Sen. Dan Newberry – 1:45 p.m.
Sen. Susan Paddack
Rep. R.C. Pruett
Rep. Earl Sears
David Thompson

MEMBERS ABSENT: None

GUESTS: John Estus, OMES, Director, Public Affairs
Trait Thompson, OMES, State Capitol Project Manager
Melissa Milburn, OMES
Beverly Hicks, OMES
Tim Tuck, OMES
Kathy Pendarvis, OMES Legal
Travis Monroe, OMES
Duane Mass, Capitol Architect/Mass Architects
Michael Tower, Mass Architects
Fred Schmidt, FSB
Jeff Napoliello, JE Dunn
Kyle Nelson, Manhattan Construction

Agenda Item 1 – Call to order and establish a quorum. [Steve Mason]

Chair Steve Mason called the meeting to order at 1:30 p.m. A roll call was taken and a quorum was established. Mr. Mason was advised that notice of the meeting had been given, and an agenda posted in accordance with the Open Meeting Act.

Agenda Item 2 – Approval of the Oct. 9, 2014, minutes. [Steve Mason]

Representative Sears moved to approve the minutes of the meeting held Oct. 9, 2014. David Thompson seconded the motion; the minutes passed and the following votes were recorded:

Sen. Corey Brooks – aye; Phillip Kennedy – aye; Steve Mason – aye; Rep. Mark McBride – aye; Sen. Susan Paddack – aye; Rep. R.C. Pruet – aye; Rep. Earl Sears – aye; David Thompson – aye.

Agenda Item 3 – Report on legislator trip to Kansas State Capitol. [Sen. Susan Paddack]

Sen. Paddack listed the attendees on the trip. She then discussed the very thorough job the attendees did of looking at the capitol building, and how the renovation was a purely historical one. She talked about the issues the hosts brought up that they hadn't expected and the difficulties they noted of the renovation working around the daily Capitol activities. She observed how clean, fresh and inviting the Kansas City Capitol is, and she spoke of the increase in the number of visitors to the Capitol and to the level of pride the citizens of Kansas have in their Capitol building. She noted the visitors seemed to be enamoured with the cleanliness and beauty of the building.

Agenda Item 4 – Discussion and possible action on approval of Dec. 31, 2014, report to OMES director established in HJR1033. [Steve Mason]

Mr. Thompson noted sections of the report were approved in the October meeting, but not the report in its entirety. The report is comprised of a letter to OMES Director Preston Doerflinger from Chair Mason on behalf of the committee, a request for proposal selection criteria and Interior Goals and Criteria and a list of the committee members and OMES employees working on the project. Nothing has been changed since the Oct. 11 meeting approval, and report was emailed to the committee on Friday, Dec. 5.

There was a question regarding removal of hazardous material, and it was noted that the building does still contain some asbestos in inaccessible places, though it was noted that the asbestos was abated during construction done interims past. It also contains lead paint (due to time period building was painted).

A question was asked of the terminology “fixed cost” used on page two, Selection Criteria Item 3. It was discussed that this term could be better clarified if amended to “soft costs” or something similar.

Sen. Paddack moved to approve the report as proposed with appropriate scrivener clarification as discussed. David Thompson seconded the motion, the motion passed and the following votes were recorded:

Sen. Corey Brooks – aye; Phillip Kennedy – aye; Steve Mason – aye; Rep. Mark McBride – aye; Sen. Susan Paddack – aye; Rep. R.C. Pruet – aye; Rep. Earl Sears – aye; David Thompson – aye.

Agenda Item 5 – Discussion and possible action on recommending changes to Title 73, Section 345 of the Oklahoma Statutes. [Trait Thompson]

Changes for consideration are as follows:

1. Delay the delivery date of the final plan to Dec. 11, 2015.

With the experience of the exterior renovations, it is proposed the delivery date of the final interior renovation plan be presented after the December 2015 meeting. The current schedule appears aggressive and limits the contractor's ability to be thorough and accurate with investigation and cost estimation. It would also allow time for planning more efficient space utilization, as well as budget accuracy. Speaker and pro tempore offices are favorable if motion is approved by committee. Mr. Mass agreed the project will be tighter if more time is allowed for the investigation and bid processes. Sen. Brooks questioned if the legislature being in session would cause issues with the investigation and Mr. Mass noted that it would on the original deadline of Feb. 23. Rep. McBride noted that we should move as quickly as possible, even with the extension, as building costs are on the rise, to which Mr. Mass agreed. Mr. Thompson noted that an extension would not impact the timetable for bringing the contractor on board, as the vendor will be in place by the original February deadline.

2. Add language allowing for replacement of committee members when necessary. [Trait Thompson]

Mr. Thompson suggests adding a sentence to the section that says, "Any vacancy on the committee shall be filled in the same manner as the original appointment."

Rep. Sears moved to approve the recommended changes. Rep. McBride seconded the motion, the motion passed and the following votes were recorded:

Sen. Corey Brooks – aye; Phillip Kennedy – aye; Steve Mason – aye; Rep. Mark McBride – aye; Sen. Dan Newberry – aye; Sen. Susan Paddack – aye; Rep. R.C. Pruet – aye; Rep. Earl Sears – aye; David Thompson – aye.

Agenda Item 6 – Discussion and possible action on meeting dates for 2015. [Steve Mason]

- Thursday, Jan. 8
- Thursday, Feb. 5
- Thursday, April 9
- Thursday, June 11
- Thursday, Aug. 6
- Thursday, Oct. 1
- Thursday, Dec. 3

Sen. Newberry moved to approve the recommended changes. Rep. Sears seconded the motion, the motion passed and the following votes were recorded:

Sen. Corey Brooks – aye; Phillip Kennedy – aye; Steve Mason – aye; Rep. Mark McBride – aye; Sen. Dan Newberry – aye; Sen. Susan Paddock – aye; Rep. R.C. Pruet – aye; Rep. Earl Sears – aye; David Thompson – aye.

Agenda Item 7 – Project Manager’s Report. [Trait Thompson]

Mr. Thompson reported the exterior restoration project is proceeding according to schedule. On Dec. 9, interviews were conducted by a five-member selection panel from the Office of Management and Enterprise Services (OMES) that scored the request for proposal (RFP) interviews. The finalists being scored are Manhattan Construction, J.E. Dunn Construction and Capitol Renaissance Design Builders (a partnership with Flintco and CMS Willow Brook). At a press conference on Dec. 22 in the governor’s Blue Room at 10:30 a.m., WJE Associates will give their final report on the exterior of the Capitol Building and the selected design-build vendor will be announced.

Mr. Thompson reported that, due to the work the committee did from the Oct. meeting, the interior request for qualifications (RFQ) was released on Nov. 21. The responses are due Dec. 15. The responses for the RFQ will be scored just like they were in the other process and the three top finalist will be invited to respond to the Request for Proposal (RFP). The RFP responses will be scored and a contractor will be selected by Dec. 23, 2015.

Oral arguments were held in front of the referee from the Supreme Court. On Dec. 2, Mr. Jerry Fent, attorney arguing against the Oklahoma Capital Improvement Authority (OCIA), challenged House Joint Resolution (HJR) 1033. Cara Rodriguez, Assistant Solicitor General, presented the case on behalf of OCIA. The earliest the court can take up the case in their chambers is Dec. 15. Mr. Thompson is cautiously optimistic that there will be a verdict by the end of the month.

Mr. Thompson informed the committee regular meetings are being held with the Department of Public Safety (DPS) and Oklahoma Highway Patrol (OHP) to discuss enhancing and upgrading security where possible at the Capitol. A report will be available at a future meeting.

The OMES communications team has made a series of short YouTube videos to inform everyone of the ongoing Capitol improvement project. These video updates will continue throughout the life of the project.

Agenda Item 8 – Adjournment

There being no further business, Mr. Thompson made a motion to adjourn. Rep. Sears seconded the motion. There being no opposition, the meeting adjourned at 2:15 p.m.