POSSIBLE FURTHER REVIEW OF WELLNESS CENTER PROJECT APPROVAL

The Board reviewed the proposed schematic designs for the Wellness Center project during the October Board meeting. Following an extensive discussion, including many public comments, a motion was made, and seconded, to approve the proposed schematic design and project budget. Before a vote on the motion was taken, there was discussion among Board members as to whether this “included the bid alternates”. Several members spoke favorably to that inquiry, but no formal motion to amend the motion was made. The Board proceeded with a vote.

Because there was no articulation, in a motion to amend the motion or otherwise, of exactly what the Board’s intentions were, the minutes of that meeting have been drafted in such a manner as to reflect that the Board’s intentions were not defined clearly. Differences in the perceptions of various Board members and other attendees exist as to whether the Board has ‘authorized’ the President to include various bid alternates at his discretion or whether the Board had ‘directed’ the President to include certain bid alternates in the designs and construction bids. As the project moves into design development, there is a need to bring clarity to the issues.

The focus of concern regarding possible bid-alternates arises out of the staff recommendation to make certain reductions in the designs in order to bring the project within the Board-approved budget. The pool size was reduced from an earlier projection of 10-lanes to 8-lanes, and the racquetball courts were eliminated.

The estimated cost to construct the two racquetball courts, either as a bid-alternate or sometime after construction of the new facility, is currently $770,000. The estimated increase in construction costs for building a 10-lane pool rather than an 8-lane pool is $1,170,000. The racquetball courts do not require extensive, specialized engineering design, so the preparation of a bid-alternate to add the racquetball courts would be associated with the general fee structure of the project architect. Increasing the size of the pool as a bid-alternate, however, would require a considerable amount of engineering-design work, including revised structural layout, new design and documentation of the dehumidification system, new filter and surge tank design, a revised civil plan for larger building, etc. The A&E work for this bid-alternate would require a guaranteed fee to the architect of $89,400, regardless of whether Shepherd chooses to build the larger pool.

Because of the required A&E costs that are associated with a pool bid-alternate, and because we do not have a readily available means of funding the additional $1.2 million cost of construction, it is recommended that there be no requirement to include a pool bid alternate in the construction documents and that the President be authorized to utilize such bid-alternetes as may be deemed appropriate, consistent with the general parameters of the schematic design which has been approved.
The following resolution is recommended for adoption by the Board:

RESOLVED, that the Shepherd University Board of Governors, notwithstanding any prior action of the Board, approves the Schematic Designs and Project Budget for the Wellness Center addition to the Butcher Center and authorizes the President or designee to utilize such construction bid-alternates as may be deemed appropriate by the President, consistent with the Schematic Designs.
October 26, 2006

Mr. James Vigil  
Shepherd University  
Office of Auxiliary Enterprises  
Student Center  
301 N. King Street  
Shepherdstown, W.VA. 25443

Re: Shepherd University Student Wellness Center

Dear James:

In response to Shepherd University’s request to provide an alternate set of documents to obtain an Add Alternate Bid for a 25 YD x 25 M pool we offer the following:

The Add Alternate requires the design team to provide a second set of documents addressing those building areas and systems that are to be modified with the addition of two lanes to create the larger pool. These changes include such scope items as a revised structural layout, new design and documentation of the dehumidification system, new filter and surge tank design, a revised civil plan to address the larger building, etc.

Based on the increased project scope and construction cost we ask for an increase in fee for the work to be completed, as follows:

<table>
<thead>
<tr>
<th>Firm</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Hughes Group Architects</td>
<td>$46,025</td>
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<tr>
<td>Ehler Bryan (Structural)</td>
<td>$ 8,500</td>
</tr>
<tr>
<td>Brinjac Engineers (MEP)</td>
<td>$26,000</td>
</tr>
<tr>
<td>Water Technology (Aquatics)</td>
<td>$ 4,500</td>
</tr>
<tr>
<td>Frederick Siebert and Associates (Civil)</td>
<td>$ 4,375</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$89,400</strong></td>
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We appreciate your consideration of our request.

Please call if any questions.

Sincerely,

Amado Fernandez, AIA

Cc: Wayne L. Hughes AIA  
    Janie LeHew