



State of Utah

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## ADDENDUM #2

Date: April 15, 2008

To: Interested Firms

From: Rick James, Project Manager, DFCM

Reference: Student Life Center  
University of Utah – Salt Lake City, Utah  
DFCM Project No. 08015750

Subject: Addendum No. 2

Pages	Addendum	3	pages
	Total	3	pages

**Note: This Addendum shall be included as part of the Contract Documents. Items in this Addendum apply to all drawings and specification sections whether referenced or not involving the portion of the work added, deleted, modified, or otherwise addressed in the Addendum. Acknowledge receipt of this Addendum in the space provided on the Bid Form. Failure to do so may subject the Bidder to Disqualification.**

1.1 **SCHEDULE CHANGES** – There are no changes to the project schedule.

1.2 **GENERAL** – The 2008 Utah Legislature passed SB 220 entitled: "Cause of Action for Defective Construction." The Governor of the State of Utah has signed the bill. The bill becomes effective 60 days after the close of the 2008 Legislative General Session. While we contend that SB220 should only be potentially applicable to a contract issued after the effective date of said bill, this is to clarify that for purposes of this contract, regardless of the execution or effective dates of this contract, the status of Utah Law and remedies available to the State of Utah and DFCM, as it relates to any matter referred to or affected by said SB220, shall be the Utah law in effect at the time of the issuance of this Addendum..

Item 2.1 **Question:** Is it the intent of DFCM to have the Student Life Center programmed with sustainable design standards? If so, please clarify if you would prefer the program team to follow the State's guidelines for sustainable design.

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**Answer:** It will be a program requirement that the facility will meet the requirements of the DFCM High Performance Building Standards. It has not been determined if the University and DFCM will seek LEED Certification.

Item 2.2 **Question:** On Page 4, the last paragraph discusses the future ability to compete for design and construction services. As was indicated at the pre-proposal meeting, the elimination of the programming team as project contenders, should the procurement method for the building be design build, would be a serious consideration for teams pursuing this project. Has the "design/build" approach been officially ruled out?

**Answer:** At this point it is most likely that Design Build will not be the chosen method of construction.

Item 2.3 **Question:** “. . .there are two sentences that seem to contradict each other on page 4. The third sentence reads "If the future construction method is a design/build, then the programming firm will only be allowed to be a consultant to the selected firm during the design of the project". The fourth sentence then says "Should this be the case, the programming firm will not be providing services to the design firm during the construction of the project" .

We would like to know which sentence should be eliminated

**Answer:** On page 4, delete the following two sentences:  
“If the future construction method is a design/build, then the programming firm will only be allowed to be a consultant to the selected firm during the design of the project. Should this be the case the programming firm will not be providing services to the design firm during the construction of the project.”

Insert the following:

If in the future the method of construction is design build then some restrictions apply to the selection process. It is the DFCM policy that under a Design Build Construction method a firm which is the primary firm during the programming phase may not compete as the lead design firm within the design build team.

Please consider the following scenarios:

Scenario 1 If a firm is the primary firm during the programming phase, **then that firm may not compete** as the lead design firm within the design build team.

Note: During the design phase of Scenario 1, DFCM may hire the programming firm as a third party to review the design to ensure that the programming intent is met by the design build team

Scenario 2 If a firm is a consultant to the primary firm during the programming phase, then the firm may compete as the lead design firm within the design build team.

- Item 2.4      **Question:** Have the site limits been established, and if not, will that be part of the scope of work?
- Answer:** It is anticipated that site limits will be established during the programming.
- Item 2.5      **Question:** To what extent will "Food Service" be provided in the new facility, as noted in the SFC? The survey mentions a "Juice Bar", but no other food service is noted.
- Answer:** At this time the exact nature of the food services to included in the facility have not been determined.
- Item 2.6      **Question:** The SFC notes "Auxiliary Services" as an inclusion. Can you more specifically define what these services, programs or spaces might be?
- Answer:** At this point the specific nature of what auxillary services has not been determined. Some activites that may be included in auxillary services would include: locker and equipment rental, and spaces supporting the activities listed above on page 4.
- Item 2.7      **Question:** Is there a stipulated programming fee for this project?
- Answer:** There is no stipulated programming fee for this project. It is antipated that the programming fee will be negotiated after the selection of the programming firm.
- Item 2.8      **Question:** Will you please tell me when the Hasting and Chivetta Feasibility/Pre-Program document will be made available?
- Answer:** There is no additional feasibility study by the aforementioned firm. The power point survey which is attached to the RFP is the only document related to feasibility which the University has.
- Item 2.9      Refer to Addendum No. 1 Item 1.1. Change the first sentence after:  
                  "Specific Project Experience 25 Points" to read as follows:  
                  Demonstrated success in the programming, or designing at least **6 university student recreation centers**.

End of Addendum