

Contact: Joan Racki

FLOOD RECOVERY AUTHORIZATIONS

Action Requested: Consider rescinding the capital project process temporary changes related to Sections 9.13 and 9.14 of the Board's *Policy Manual* granted to the University of Iowa on July 2, 2008.

Executive Summary: At its July 2, 2008 meeting, the Board of Regents approved certain capital project process temporary changes, which had been requested by the University of Iowa, to expedite projects to return flood-affected buildings on the University of Iowa campus to pre-existing conditions. Due in part to this action by the Board, and the extraordinary efforts of University personnel and the contracting community, the University was able to resume the summer session and to open with a full complement of classes for the fall 2008 semester.

While much remains to be accomplished in recovering from the flood, the exigent circumstances that justified the waivers of Section 9.13 and Section 9.14 of the Board's *Policy Manual* pertaining to the bidding process no longer exist. The waivers of these two sections permitted the University to employ a prequalification-based solicitation of bidders for the flood recovery projects.

The University recommends the temporary waivers of these two sections of the Board's *Policy Manual* be rescinded. The waiver of other procedural requirements (as approved on July 2, 2008 and included as Attachment A) would remain in effect provided the project meets the stated criterion of returning the building(s) to "pre-existing conditions".

The University may utilize Section 9.03(B)(2)(h) of the Board's *Policy Manual* which confers authority upon the Executive Director of the Board to act on behalf of the Board on capital procedure actions, subject to Board ratification. The University will request this action when failure to take immediate action would have an adverse impact on institutional programs, cause unnecessary delays in the project, result in increased cost, or when it is otherwise in the public interest.

**TEMPORARY WAIVERS PROPOSED TO REMAIN IN EFFECT
AFTER OCTOBER 29, 2008
FOR PROJECTS TO RETURN BUILDINGS TO PRE-EXISTING CONDITIONS**

- Section 9.03C: Capital Project Evaluation Criteria
- Section 9.05: Permission to Proceed with Planning
- Section 9.06: Program Statements and Design Documents
- Section 9.07A, B, C, D, E, F, H: Project Descriptions and Budgets – Utilize final budget reporting process following completion of restoration projects
- Section 9.08: Consultant Agreements and Amendments
- Sections 9.09 and 9.15A: Construction Contracts and Change Orders – Authorization for the University to award individual construction contracts and change orders up to \$10,000,000 with contracts to be immediately shared with Board Office
- Section 10A, B, C, F: Architect Engineer and Construction Management Services Selection – authorization for the University to enter into individual agreements up to \$1,000,000 with agreements to be immediately shared with the Board Office
- Section 9.12A, B, D: Preparation of Plans and Specifications