



**TRUSTEES OF THE UNIVERSITY OF WYOMING  
BOARD MEETING AGENDA**

**Wednesday, January 20-Friday, January 22, 2016  
Laramie, Wyoming**

**Friday, January 22, 2016**

**Marian H. Rochelle Gateway Center, Salons D&E**

**9:30-10:00 a.m. – Business Meeting**

Roll Call

Approval of Board of Trustees Meeting Minutes

- November 18-20, 2015
- December 4, 2015 “Special” Meeting
- December 7, 2015 “Special” Meeting
- December 9, 2015 “Special” Meeting
- December 10, 2015 “Special” Meeting
- December 14, 2015 “Special” Meeting
- December 15, 2015 “Special” Meeting
- December 18, 2015 “Special” Meeting

Approval of Executive Session Meeting Minutes

- November 18-20, 2015
- December 4, 2015 “Special” Meeting
- December 7, 2015 “Special” Meeting
- December 9, 2015 “Special” Meeting
- December 10, 2015 “Special” Meeting
- December 14, 2015 “Special” Meeting
- December 15, 2015 “Special” Meeting
- December 18, 2015 “Special” Meeting

Reports

ASUW  
Staff Senate  
Faculty Senate

Public Testimony

[scheduled Thursday, January 21, from 11:00-11:30 a.m.]

Committee of the Whole

Regular Business  
Board Committee Reports

*[Note- Committees of the Board will be discussed during a regular work session of the meeting. Those listed below will provide reports during the regular Business meeting.]*



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**Trustee Standing Committees**

*Audit and Fiscal Integrity Committee*

Jeff Marsh (Chair)

*Honorary Degrees and Awards Committee*

President McGinity (Chair)

*Other committee information to be inserted once agenda is finalized.*

**Liaison to Other Boards**

- UW Alumni Association Board – Wava Tully
- Foundation Board – Jeff Marsh & Dave Bostrom
- Haub School of Environment & Natural Resources – Michelle Sullivan
- Cowboy Joe – John McKinley

Items for Approval:

1. Approval of Contracts and Grants – Gern
2. Approval of Personnel – Jones
3. UW Regulation Revisions – Miller
  - UW Reg 2-180 (Regulating Smoking)
  - UW Reg Creating “Special Assistant to the President for Diversity” [see attachment F]
  - Revisor’s Bill: 7-570 (Regulations of the College of Law) ~~7-610, 7-620, and 7-621 (Outreach Regulations—all combined into one as part of Revisor’s Bill)~~ *(This item was not reviewed/approved at the January 2016 Board meeting)*
4. ~~Approval of Members of the Trustees Education Initiative Board~~ – Palmerlee *(Approved during Work Session—see details below and attachment A)*
5. Approval of Trustee Scholarship – Axelson
6. ~~Approval of the University Operations Reserve Account and University Capital Facilities Reserve Account~~ *(approved during work session - see below and attachment B)*
7. Indirect Costs Policy – *(added following discussion during Work Session - see attachment C)*
8. Annual Review and Reappointment of the External Audit Firm – Mai/Lowe *(added following committee meeting discussion—see attachment E)*
9. Approval of Real Estate Item *(as discussed during Executive Session; no handout provided during public meeting)*



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New Business

Date of Next Meeting: February 17, 2016 (conference call)

Adjournment

**Other Action:**

**Thursday, January 22, 2016**

**Approval of Members of the Trustees Education Initiative Board – Palmerlee**

*(Approved during Work Session—see attachment A)*

Trustee MacPherson moved to approve the Trustees Education Initiative Board [see attachment A]. Trustee John McKinley seconded. There was discussion if the Board was appointing people to the Board or if the Board was approving the titles and positions of that were listed on the document. Trustee President Palmerlee called for a vote. All trustees were in favor, none were opposed.

**Approval of the University Operations Reserve Account and University Capital Facilities Reserve Account**

Trustee MacPherson moved the board adopt what is represented as University Operations Reserve Account and University Capital Facilities Reserve Account dated on January 21, 2016 at 11:25 a.m. [see attachment B]. Trustee Marsh seconded. All were in favor.

**Approval of Capital Facilities Policy Changes**

There was discussion on the revisions made to the Project Development Policy and Procedure for UW Capital Construction for Major Projects document [see attachment D]. The Board was concerned with one aspect of the document, so Trustee McKinley moved to delete the wording “total budget” five lines from the end of the document and replace it with “owner’s contingency fund.” Trustee Marsh seconded. All trustees were in favor of the amendment, motion passed unanimously. Trustee President Palmerlee asked for a motion to approve the revised document. Trustee MacPherson moved to adopt the Project Development Policy and Procedure for UW Capital Construction for Major Projects document dated 1-21-16 at 2:18 p.m. as amended. Trustee McKinley seconded. All were in favor.

**Approval of Budget Adjustment for High Bay Research Facility**

Trustee McKinley updated the Board on the High Bay Research Facility and explained the reason for the cost over run on the project. Trustee McKinley moved to approve the authorization of spending up to \$5.2 million for the required changes to High Bay Research Facility from identified sources from the Vice President for Administration that are presently existing sources for this fund. Trustee Marsh seconded. There was further discussion on the cost overruns and the funds to cover the increases. Trustee President Palmerlee called for a vote. All Trustees were in favor; vote passed unanimously at 2:25 p.m. on 1-21-16



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**Attachment A**

*Approved 1-21-16 at 7:50 a.m.*



UW BOARD OF TRUSTEES EDUCATION INITIATIVE

**TRUSTEES EDUCATION INITIATIVE BOARD - 2016**

Dave Palmerlee (President, Trustee)

Dick McGinity (President, University of Wyoming)

Ray Reutzler (Dean, College of Education)

John McKinley (Trustee)

John McPherson (Trustee)

Dave Bostrom (Trustee)

Wava Tully (Trustee)

Alan Buss (Faculty Member, College of Education)

Mark Northam (Director, School of Energy Resources)

Craig Dougherty (Superintendent, Sheridan County School District No. 2)

Tom Botts (External Board)

April B. Kunz (External Board)

Carol Mead (First Lady, State of Wyoming, External Board)

**Ex-Officio Members**

Jillian Balow (Wyoming State Superintendent of Public Instruction)

James O. Rose (Executive Director, Wyoming Community College Commission)

College of Education Student

Amy Pierson (K-12 Educator, Buffalo)



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**Attachment B**

*Approved 1-21-16 @ 11:25 a.m.*

**University Operations Reserve Account**

The Board directs the UW President to establish and fund a UW Operations Reserve Account from whatever revenue sources are practicable. The UW president shall identify a goal for the balance to be retained in the account, based upon financial conditions and the total amount of expenditures contemplated in the budget approved by the Board of Trustees for University operations for each fiscal year. The UW president shall also develop a policy for sources of funds to fund the account. The goal and policy shall be submitted to the Board of Trustees' Budget Committee for review, and the Committee shall forward its recommendations to the full Board for review. Any proposed revisions to the goal and policy the Board may adopt shall follow this process.

Funds in this University Operations Reserve Account are intended to be used to ensure that the University is able to address unexpected or unusual conditions due to changes in available revenue or in unanticipated costs associated with the approved University budget. Funds in the account shall be expended only with the approval of the Board of Trustees, upon recommendation of the UW President and the Budget Committee. The policy adopted by the Board may include exceptions to this approval process for emergencies. The Vice President for Administration shall report regularly to the Board on the balance in the account and any recent transactions.

**University Capital Facilities Reserve Account**

The Board directs the UW President to establish and fund a UW Capital Facilities Reserve Account from whatever revenue sources are practicable. The UW president shall identify a goal for the balance to be retained in the account, based upon the extent to which capital facilities construction projects are under contract at the University. The UW president shall also develop a policy for sources of funds to fund the account. The goal and policy shall be submitted to the Board of Trustees' Facilities Construction Committee for review, and the Committee shall forward its recommendations to the full Board for review. Any proposed revisions to the goal and policy the board may adopt shall follow this process.

Funds in this Capital Facilities Reserve account are intended to be used to ensure that capital facilities projects at the University serve the goals and objectives of the project as determined by the Board of Trustees. Funds in the account shall be expended for capital facilities projects only with the approval of the Board of Trustees, upon recommendation of the President of the University and of the Facilities Construction Committee of the Board of Trustees. The policy adopted by the Board may include exceptions to this approval process for emergencies. The Vice President for Administration shall report regularly to the Board of Trustees on the balance in the account and any recent transactions.



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**Attachment C**

UW Regulation 1-102 – Board of Trustees Policies

Add a new subsection Q – University Indirect Cost Policy

**Q. Indirect Cost Policy**

1. Indirect Costs

Indirect costs are revenues that the University receives from two sources. One source is the indirect cost rate applied to University research funded in whole or in part by government entities or the private sector, i.e. “externally funded research.” The other source is indirect costs associated with federal or other grant funding that does not involve a research grant or contract. The indirect cost rate for these grants is typically specified in the grant.

2. Indirect cost rate for externally funded research

- a. Except as provided in subparagraphs 2.b. and c. of this paragraph, the indirect cost rate for all externally funded research shall be the federally approved indirect cost rate for federally funded research at the time the research agreement is executed.
- b. The indirect cost rate for all research funded by an agency or governmental subdivision of the state of Wyoming shall be twenty percent (20%), except that this rate may be modified with the approval of the Board of Trustees for the best interests of the University.
- c. No indirect costs shall be assessed on funds appropriated by the State of Wyoming designated to match externally funded research at the University.

3. Distribution and expenditure of indirect costs

- a. Twenty-five percent (25%) of the indirect costs derived from each externally funded research grant for each fiscal year shall be distributed in the subsequent fiscal year as follows:
  - I. Fifteen percent (15%) to the department or program in which the Principal Investigator (PI) is located. If there are multiple PI’s, the Vice Presidential for Research and Economic Development shall allocate the funds among the PIs in consultation with them. These funds shall be used as the department or program determines to stimulate research and to relieve impact on the department or program. The Vice President for Research





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and Economic Development will report annually to the Board of Trustees on expenditures by each department or program receiving funds under this subdivision a.I.

- II. Five percent (5%) to the college or similar level unit in which the department or program is located. These funds shall be used as the college or similar level unit determines to stimulate research and to relieve impact on the college or similar level unit. The Vice President for Research and Economic Development will report annually to the Board of Trustees on expenditures by each college or similar level unit receiving funds under this subdivision a.II.
  - III. Five percent (5%) to the Office of Research and Economic Development. These funds shall be used as provided in subparagraph b. of this paragraph.
- b. Except as otherwise provided in subparagraph c. of this paragraph, all other indirect costs from whatever source derived for each fiscal year, and the revenue from subdivision a.III. shall be distributed in the subsequent fiscal year, and accounted for by the Vice President for Research and Economic Development, as follows:
- I. To fund operational costs in the Office of Research and Economic Development, including the Office of Sponsored Programs and the Research Products Center, in accordance with a budget approved by the Board of Trustees.
  - II. To fund institutional research infrastructure including, but not limited to, the AMK Ranch, research computing, and institutional compliance responsibilities regarding human research and animal care, in accordance with a budget approved by the Board of Trustees.
  - III. To fund required match necessary for participation in major federal research programs, including, but not limited to EPSCOR, National Institutes IDeA, in accordance with a budget approved by the Board of Trustees.
  - IV. To defray the impact of the University's research operation and of administering non-research grants, an amount to the Division of Administration, in accordance with a budget approved by the Board of Trustees.



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- V. To fund faculty start-up costs and otherwise support faculty research, such as providing required matchings or purchase of equipment to support research, in accordance with a budget approved by the Board of Trustees.
  - VI. To replenish the federally recommended research audit reserve account to levels approved by the Board of Trustees upon recommendation of the Vice President for Research and Economic Development in consultation with the Vice President for Administration, and with the approval of the President.
- c. Indirect costs derived from an externally funded research agreement may be distributed in a manner different from that specified in subparagraph b. of this paragraph if the Board of Trustees approves a different distribution method at the time Board approves the research agreement.
- VII. To the extent indirect cost revenues are greater than the amounts budgeted under subdivisions b.I. through VI., the Vice President for Research and Economic Development, in consultation with the Vice President for Administration and with the approval of the President, shall submit a plan for the use of those funds to the Board of Trustees for approval.





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Attachment D

Approved 1-21-16 @ 2:18 p.m.

DRAFT AMENDMENTS

011216

Project Development Policy and Procedure for UW Capital Construction for Major Projects

Approved by the UW Board of Trustees July 2015 (Amended September 2015)

Each Capital Construction Project shall be subject to this process. Effective July 16, 2015, the process for developing capital construction projects shall be as follows:

- 1) Planning: Major capital construction projects shall be developed by the Division of Administration in consultation with campus and other university constituencies and approved by the Board of Trustees. Major capital construction projects are those projects that require Level I, II and III steps under Wyoming law. These projects are typically funded in whole or in part by state funds that are generally provided as a result of a budget request approved for submission by the Board of Trustees. The current Capital Facilities Plan is out of date, and efforts to modernize it will be undertaken as soon as practicable reaching the end of its term, and the Capital Facilities Plan for 2017 to 2022 is being developed. Meanwhile, through the state budget process there are clearly a set of major projects being considered by UW. The Guiding Principles in Appendix A shall apply to this policy and procedure.
2) Project Concept and Intent: For major capital construction projects, UW's Planning Team, as appointed and charged by the UW Vice President for Administration, shall meet with the primary campus department(s) requesting the project to create a "Statement of Need" or "Project Vision Statement" with the essential purpose and basic elements of the program requirements for the project. The Statement of Need shall include basic information, e.g. "this building renovation is planned to renovate the engineering building with program elements to assist UW in achieving Tier 1 Engineering status." This document may be relatively short with only the basic information regarding the purpose and functionality of the project.
3) Level I (Planning Reconnaissance Study): For major capital construction projects, an external planning or architectural consultant shall typically be selected to the Facilities Planning Office will prepare the Level I planning document reconnaissance study. UW typically does not request state funds for Level I reconnaissance studies planning, but pays for the work from available resources. The Facilities Planning Office consultant shall work with the Planning Team (which shall consist solely of university employees and appropriate stakeholders, and the Facilities Planning Office) to develop the Level I reconnaissance study Planning Document. The Division of Administration shall ensure that stakeholders working with the Planning Team include a variety of constituencies, including policymakers and at least one member of the Board of Trustees. The Vice President for Administration shall advise the Board of Trustees of the membership of the Planning Team and the stakeholders identified to work with the consultant, prior to the Facilities Planning Office consultant commencing



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work.

The Level I reconnaissance study plan shall include all information required by Wyoming law (W.S. 9-5-108), and additionally shall include the following: a program of spaces required in the facility; the functional, adjacency, and proximity requirements for each space; conceptual illustrations, including floor plans as required for conceptual construction cost estimating; and the anticipated project budget. The Level I Planning Document shall also identify target dates for occupancy and operational use of the project. Further:

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UW shall utilize external consultants with planning/design experience in the particular building type and the regional construction market to estimate the anticipated design and construction costs for the building being considered. This information together with the anticipated durations shall be used to establish the Initial Project Budget and Initial Project Schedule.

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a. The Consultant shall be selected through a RFQ/RFP process with criteria including a focus on planning and conceptual estimating to achieve an appropriate initial or preliminary budget in advance of design drawings. The Vice President for Administration shall recommend, through the Facilities Construction Committee, to the Board of Trustees the firm to be selected. No contract shall be executed for Level I services except upon prior approval by the Board of Trustees.

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b. In the Level I planning process, the project requirements including time and the space requirements, primary building systems, and unique attributes of the various program elements shall be identified through meetings with the UW Planning Team, stakeholders, and other UW staff, as appropriate. The project requirements and space program shall determine the total assignable square foot (ASF) of new space to be included in the proposed project. The total ASF shall be multiplied by an appropriate building efficiency factor (such as 1.55 for 65% efficiency) to arrive at the gross square foot of new construction required to meet the program requirements.

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c. If the project involves a new building, the Level I planning process shall also include analysis of the appropriate location for the building. The Vice President for Administration shall develop a recommendation for location for the building in consultation with campus and external constituencies. The Vice President for Administration, subject to the approval of the President, shall submit a recommendation for location for the new building to the Facilities Construction Committee of the Board for review, prior to consideration by the Board of Trustees. Depending upon the nature and complexity of the project, this recommendation may be submitted prior to completion of the Level I planning document in accordance with paragraph 3.f. The location of any new building must be approved by the Board of Trustees.

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d. The Level I Planning Document shall also include an estimate of the additional operations and maintenance cost for the project when it is fully operational.

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e. Upon completion of the Level I Planning Document reconnaissance study, the Vice President for Administration shall review and may direct further work or modifications to the Document. If the Vice President, after review, approves the Document, the Vice President, subject to the approval of the President, will submit it to the Facilities Construction

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Committee of the Board for review, prior to consideration by the Board of Trustees.

- 4) Level II Planning(Feasibility Study): Upon completion of the Level I reconnaissance study/Planning document and review and approval by the Board of Trustees, the Vice President for Administration, subject to the approval of the President, shall submit a recommendation for funding for a Level II planning-feasibility study to the Facilities Construction Committee for review prior to consideration by the Board. This typically includes a recommendation for a state budget request for funding.

If funding is secured for a Level II feasibility study/planning, a Consultant will be selected through an RFP/RFQ process with criteria including a focus on planning and conceptual estimating to achieve an appropriate initial or preliminary budget in advance of design drawings. The Vice President for Administration shall recommend, through the Facilities Construction Committee, to the Board of Trustees the firm to be selected. No contract shall be executed for Level II services except upon prior approval by the Board of Trustees. ~~The Vice President for Administration shall recommend to the Board of Trustees the firm to be selected. No contract shall be executed for Level I services except upon prior approval by the Board of Trustees.~~

The Consultant shall prepare a Level II feasibility study/Planning schematic Document in collaboration with the Planning Team and stakeholders. The Board of Trustees shall be advised of any changes in the Planning Team and stakeholders compared with those who were engaged in the Level I planning-reconnaissance study process.

The Level II feasibility study/Planning Document shall include all information required by Wyoming law (W.S. 9-5-108) and additionally shall include the following: a program of spaces required in the facility; the functional, adjacency and proximity requirements for each space; conceptual illustrations, including floor plans as required for conceptual construction cost estimating; and the anticipated project budget. The Level II feasibility study shall also identify target dates for occupancy and operational use of the project. Further:

- a. In the Level II feasibility study, the project requirements—including time and the space requirements, primary building systems, and unique attributes of the various program elements—shall be identified through meetings with the UW Planning Team, stakeholders, and other UW staff, as appropriate. The project requirements and space program shall determine the total assignable square feet (ASF) of new space to be included in the proposed project. The total ASF shall be multiplied by an appropriate building efficiency factor (such as 1.55 for 65% efficiency) to arrive at the gross square feet of new construction required to meet the program requirements.
- b. If the project involves a new building, the Level II feasibility study shall also include analysis of the appropriate location for the building. The Vice President for Administration shall develop a recommendation for location for the building in consultation with campus and external constituencies. The Vice President for Administration, subject to the approval of the President, shall submit a recommendation for location for the new building to the Facilities Construction Committee of the Board for review, prior to consideration by the Board of Trustees. Depending upon the nature and complexity of the project, this recommendation may be submitted prior to completion of the Level II feasibility study in accordance with





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paragraph 3. The location of any new building must be approved by the Board of Trustees.

a-c. UW shall utilize external consultants with planning/design experience in the particular building type and the regional construction market to estimate the anticipated design and construction costs for the building being considered, INCLUDING COSTS ASSOCIATED WITH LANDSCAPING. This information—together with the anticipated durations—shall be used to establish the Initial Project Budget and Initial Project Schedule, including a conceptual budget, along with scoping documents for the various spaces and functions required for the project. If the Board determines that it is likely that a construction manager at risk (CMAR) will be the desired type of construction delivery method, the Level II design contract will be structured so as to generate a design document that will provide information sufficient to support a Level III Final Design and Construction state budget request.

b-d. The conceptual project cost estimate may be prepared by an independent cost estimating subconsultant of the Consultant hired by UW, and shall be reviewed and adjusted as appropriate in collaboration with the Planning Team and, once approved, shall become the Initial Project Budget for the project.

e. In developing the Initial Project Budget, the Consultant and their cost estimating subconsultant, if any, shall use their expertise and relevant knowledge of the local construction market along with recognized industry publications, government labor and material cost indexes, available costs of similar projects by peer institutions, the knowledge of the Facilities Planning Office, stakeholders' input, and any illustrations, examples, drawings or other information available or developed as part of their contract deliverables. The construction cost estimate will also include adjustments for inflation and cost escalators—escalation as appropriate based upon the approximate schedule for construction.

e-f. The Level II feasibility study shall include an estimate of the additional operations and maintenance costs for the project when it is fully operational.

d-g. The construction cost component of the Initial Project Budget is used as a basis for estimates for the cost of other components. The following are typical percentages of the construction cost for the listed components, but may vary depending upon the project:

- 5% Owner's Construction Contingency
15% Owner's Design Contingency
10% Design Fees (Including CMAR Preconstruction Services fee, if CMAR is used)
4% Furniture, Furnishings & Equipment (FF&E)
3% Technology Equipment/Audio-Visual/Information Technology (AV/IT)
1-7.5% Moving Expenses
4% Administrative Expenses, including but not limited to:
- Owner's Consultants (Geotechnical Engineer, Site Surveyor, Industrial Hygienist, Commissioning Authority, Quality Control Engineer, Interior Designer);
- Building permits and City and state plan review fees; and



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- Facilities Planning Office staff time allocated to the project;
- Physical Plant staff time and materials; and
- Temporary utilities.

The Initial Project Budget would be presented in categories similar to the example below:

FOR ILLUSTRATION ONLY

Construction Budget	\$	-
Construction/GMP	\$	-
Owner Contingency for Bid Alternates	\$	-
<b>Total Construction Budget</b>	\$	-
Soft Costs	\$	-
Owner Construction Contingency	\$	-
Design & Project Administration Costs	\$	-
Furniture, Furnishings & Equipment (FF&E)	\$	-
AV/IT	\$	-
<b>Total Soft Costs</b>	\$	-
<b>Total Project Budget</b>	\$	-

Field Code Changed

FOR ILLUSTRATION ONLY

PRIORITY #3	College of Engineering and Applied Sciences Addition and Renew	\$
<u>10-067-01-00</u>		<u>105,800,000</u>
		<u>DEPT REQUEST</u>
0701	CAPITAL PLANNING	\$ -
0702	ARCHITECT SERVICES	\$ 6,600,000
0703	ENGINEERING SERVICES	\$ -
0704	RELOCATION COSTS	\$ 150,000
0705	LAND PURCHASING	\$ -
0706	BUILDING PURCHASING	\$ -
0707	GROUNDS DEVELOPMENT	\$ 2,000,000
0708	ROADS & SIDEWALKS	\$ 1,000,000
0709	UTILITY SYSTEMS	\$ 1,200,000
0710	FURNISHINGS & EQUIPMENT	\$ 8,000,000
0711	COMMUNICATION EQUIP & SERVICES	\$ 450,000
0712	SPECIAL EQUIPMENT	\$ 2,400,000
0713	FEES & PERMITS	\$ 600,000
0714	BONDING & INSURANCE	\$ 142,000
0715	LANDSCAPING	\$ 300,000
0716	FACILITY	\$ 80,700,000
0717	1% FOR ART	\$ 100,000
0718	OTHER - Administration Costs/Signs/Misc.	\$ 2,068,000
0719	MAINTENANCE	\$ -
<u>07-01-01-0000</u>	<b>TOTAL REQUEST</b>	\$ <b>105,800,000</b>

5) Level III Planning (Final-Design and Construction) – Funding

Upon completion of the Level II Planning Document/feasibility study, and after review and

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approval by the Vice President for Administration, the Vice President for Administration, subject to approval of the President, shall submit a recommendation for funding to the Facilities Construction Committee for review prior to submission to the Board. The recommendation shall include both sources of funding for the project and a proposed project budget. This typically includes a recommendation for a state budget request for funding.

6) ~~Level III Planning-Final-Design and Construction~~ –~~Final~~ Design

If Level III ~~planning-final-design and construction~~ funding is secured, the Vice President for Administration, subject to approval of the President, shall submit a recommendation for construction delivery method to the Facilities Construction Committee for review prior to submission to the Board. The construction delivery methods under law are: Design-bid-build; Construction Manager at Risk (CMAR); and Design-Build.

After the Board approves the construction delivery method, the Vice President for Administration shall ensure that an ~~an competitive-RFQ/RFP~~ process is used to select the firm(s) that will design the project. Except in unusual circumstances, the design process shall not commence unless adequate funding for construction of the project has been secured.

The Vice President for Administration, subject to approval of the President, shall submit a recommendation for selection of a design firm to the Facilities Construction Committee for review prior to submission to the Board. After the Board approves that negotiations with a particular design firm may commence, the Vice President for Administration shall pursue negotiations with such firm. The negotiations shall be based on contract templates with terms and conditions that have been reviewed and approved by the Board of Trustees. No agreement shall be executed until the Vice President for Administration has consulted with the Facilities Construction Committee as regards the terms of the agreement. The Committee may request that the Board review and approve the agreement prior to its execution.

Prior to execution of the agreement, the Vice President for Administration shall establish a project budget which shall be submitted to the Facilities Construction Committee for review prior to submission to the Board for approval. ~~Once the Board approves the project budget, no modifications to that project budget shall be made without the approval of the Board. The approved project budget shall control the design and construction of the project. Only the Board of Trustees may approve modifications to the project budget.~~

When work under the design agreement commences, the Vice President for Administration shall designate a project manager who will be responsible for all communications on behalf of the university with the design firm. ~~The Vice President for Administration shall also establish in writing a chain of command – few organizational chart for the design phase of each project. This few org chart will identify lines of authority and reporting responsibilities. The project manager shall follow the guidelines in Appendix B.~~ The Planning Team shall serve as an advisory group to the project manager. The Vice President for Administration shall keep the Facilities Construction Committee apprised of progress of the design process.

The design process shall have the following guiding principles:

- a. The exterior design of the facility **AND ASSOCIATED LANDSCAPING** shall be consistent with campus design standards pursuant to the UW Historical Preservation Plan.



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- b. The facility will be constructed as to comply with all applicable code requirements, including the Americans with Disabilities Act.
c. The facility will be designed so that operations and maintenance can be accomplished effectively and efficiently.
d. The facility shall meet the program requirements envisioned by the principal users of the facility.

Exterior design advisory committee - On all new building construction projects or major renovations subject to this policy, the Vice President for Administration shall appoint an exterior design advisory committee, in consultation with the Board's Facilities Construction Committee. Landscaping for all projects in excess of \$500,000 shall be referred to the Exterior Design committee for review and input. The committee shall have members as follows:

- One member of the Board of Trustees, appointed by the President of the Board
- One member of the Wyoming Legislature
- One member of the Division of Administration
- One representative of the community who is not an employee of the University
- One representative of the unit that will primarily use the building
- If private funds are used to fund the project, one representative of the UW Foundation.

The committee shall be chaired by the appointee who is a member of the Board of Trustees. The Vice President for Administration shall provide staff support for the committee and such information as the committee requires. This committee shall meet with the design firm and provide input on the exterior design of the project buildings. The design of all new or renovated buildings shall be consistent with the existing historical buildings on campus and incorporate elements consistent with the UW Historical Preservation Plan. The Committee shall hold at least one community/public meeting to seek input.

The design firm shall take the Committee's input into consideration in designing the exterior of the building AND ASSOCIATED LANDSCAPING. The design firm shall document departures from the Historical Preservation Plan in creating the exterior building design AND LANDSCAPING. The proposed exterior design AND LANDSCAPING shall be submitted to the Board of Trustees for review and approval. The balance of the design process shall thereafter continue. The proposed exterior design AND LANDSCAPING shall not be modified from that approved by the Board of Trustees except upon prior approval of the Board.

7) Level III Planning (Final Design and Construction) - Construction

The selection of a contractor and agreement for construction services will reflect the construction delivery method approved by the Board. The Vice President for Administration shall ensure that a competitive process is used to select the firm(s) that will construct the project. The construction process shall not commence unless adequate funding for construction of the project has been secured.

The Vice President for Administration, subject to approval of the President, shall submit a





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recommendation for selection of a construction firm to the Facilities Construction Committee for review prior to submission to the Board. After the Board approves that negotiations with a particular construction firm may commence, the Vice President for Administration or his designee shall pursue negotiations with such firm. The negotiations shall be based on contract templates with terms and conditions that have been reviewed and approved by the Board of Trustees. No agreement shall be executed until the Vice President for Administration has consulted with the Facilities Construction Committee as regards the terms of the agreement. The Committee may request that the Board review and approve the agreement prior to its execution. The Vice President for Administration shall also establish in writing a chain of command - flow organizational chart for the construction phase of each project. This floworg chart will identify lines of authority and reporting responsibilities. The project manager shall follow the guidelines in Appendix B.

Construction process - If construction manager at risk (CMAR) is the approved construction delivery method, the selection process would occur at the beginning of Level II design. If CMAR is the approved construction delivery method, the following apply:

- The Board of Trustees must approve the Guaranteed Maximum Price (GMP) prior to authorization to proceed to construction. Except in unusual circumstances, the GMP shall be based on approximately 90% completion of construction documents.
- No modifications to the GMP can be made without the prior approval of the Board of Trustees.
- No changes resulting in a use of the owners' contingency without prior approval of the Trustees can be made except for changes which are not more than \$25,000. However, in no event shall the cumulative total of all changes result in an amount which exceeds 40% of the total budget. owner's contingency fund without board approval.
- No project components which are designated as contingency funds shall be expended without the prior approval of the Vice President for Administration. The Vice President for Administration shall keep the Facilities Construction Committee apprised of the extent to which these funds are expended.

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APPENDIX A

University of Wyoming  
Major Construction Projects  
Guiding Principles

(These guiding principles are intended to address issues which have arisen during recent construction projects. They are intended to be the initial set of guiding principles and are expected to be modified, refined and adapted as UW proceeds with major construction projects.)

1. The exterior design of the facility AND ASSOCIATED LANDSCAPING shall be consistent with campus design standards pursuant to the UW Historical Preservation Plan. ~~(This is presently in draft form, which shall be used until the Plan is finalized.)~~ The A&E shall focus its objectives to achieve a varied but cohesive architectural style that enhances the character of the University and respects its history.
2. The building shall be located and sited consistent with the current UW Long Range Development Plan.
3. Facilities will incorporate today's most advanced thinking in construction design, programmatic design, and sustainability, while providing flexibility for programmatic growth, new technologies and long term use and functionality of the facility.
4. Investments in facilities will demonstrate wise stewardship of funds, taking full advantage of opportunities to reduce costs through standardization, shared resources and institutional collaboration.
5. Anticipate and provide plans to address infrastructure requirements of the campus in the most efficient and least intrusive manner possible.
6. Each major construction project shall have its own guiding principles developed by the college or unit intended to address the programmatic and functionality of the proposed facility which supplement, but not deviate from, these guiding principles for that specific project. The project specific guiding principles shall be submitted to the Facilities Construction Committee for review and approval.



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APPENDIX B

University of Wyoming  
Major Construction Projects  
Project Management Guidelines

The following guidelines shall be incorporated by the University Project Manager into the management of all major construction projects:

1. The University Project Manager shall maintain a document continuously tracking outstanding/ unresolved issues for the project. The document shall contain the following information:
  - a. Issue number
  - b. Description of the outstanding item
  - c. Responsible party
  - d. Date created
  - e. Date required
  - f. Date resolved
  
2. The University Project Manager shall create a project list serve that identifies all individuals associated with each project. This list shall include the following information:
  - a. Name
  - b. Firm/ Organization
  - c. Role
  - d. Phone number
  - e. Email address
  
3. The University Project Manager shall host and manage a project document sharing website. The site shall be accessible by all parties included on the project list serve. The site shall be updated weekly with the most current documents. The website, at a minimum, shall contain the following documents:
  - a. Meeting minutes
  - b. An open items/ issues log
  - c. Audio recordings of all design and construction meetings
  - d. Current design/ construction documents
  - e. Value engineering/ cost control logs
  - f. Project list serve



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Attachment E

The University of Wyoming
Board of Trustees' Meeting
January 20 - 22, 2016
DRAFT as of January 20, 2016

AGENDA ITEM TITLE: Annual Review and Reappointment of the External Audit Firm, Mai

CHECK THE APPROPRIATE BOX(ES):

- Work Session
Education Session
Information Item
Other Specify: BUSINESS MEETING (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

Article VII. Section 7-1 IV. a. of the Bylaws of the Trustees charges the Audit and Fiscal Integrity Committee with the responsibility of recommending to the Board "the selection and retention of the external audit firm."

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

January 2014 - the Board of Trustees approved a four-year audit engagement with McGee, Hearne & Paiz, LLP, beginning with the fiscal year ending June 30, 2014.

January 2015 - the Board of Trustees approved the reappointment of McGee, Hearne & Paiz, LLP for the second year of the engagement - fiscal year ending June 30, 2015.

WHY THIS ITEM IS BEFORE THE BOARD:

The audit engagement is subject to an annual review and evaluation of the firm's performance. The Audit and Fiscal Integrity Committee met January 20, 2016 to discuss reappointment of McGee, Hearne & Paiz, LLP, for the third year of the four-year engagement.

ARGUMENTS IN SUPPORT:

MH&P continues to demonstrate their ability to deliver high-quality professional services at an attractive price. They exhibit a solid commitment to the time schedules necessary to deliver the audited financial statements and reports. They assigned experienced personnel to the engagement and returned those professionals to the University providing continuity and efficiency to the audit. The firm's partners spent time on campus and were available for face-to-face conferences and meetings. Communication with the Audit and Fiscal Integrity Committee, as well as with UW administration, is excellent and is a key factor to successful completion of the external audit.

The Audit and Fiscal Integrity Committee agreed unanimously in favor of recommending reappointment.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS MEETING:

Reappointment of McGee, Hearne & Paiz, LLP, as the independent audit firm to perform the external audit for the fiscal year ending June 30, 2016.

PRESIDENT'S RECOMMENDATION:

The President recommends reappointment of McGee, Hearne & Paiz, LLP as stated above.





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**Attachment F**

**Excerpt from UW Reg 1-1 II.**

**A. President of the University**

Subject to control of the Trustees, the President of the University is the chief executive officer of the University and is vested with powers and duties as provided by laws of this State and the Bylaws of the Trustees of the University of Wyoming. In addition to such duties, the President shall enforce UW Regulations as adopted hereof, and the President is hereby clothed with all authority requisite to these ends. Any authority or responsibility of the President may be delegated by him/her to any other member of academic personnel (faculty or academic professional) or staff of the University, but delegation of major areas of authority or responsibility shall have the prior consent of the Trustees.

In the event of the resignation, death or incapacity of the President, the Trustees may appoint an acting president who shall perform the duties and have the powers of the President during such time as the Trustees may direct. If no acting President has been appointed by the Trustees, the duties of the President shall be performed by the Vice President for Academic Affairs.

The President shall serve as the ordinary channel of communication between the Trustees and academic personnel and between the Trustees and all subordinate administrative officers and staff of the internal organization. This regulation shall not be interpreted to limit the right of communication between academic personnel or other officers of the University and the Trustees or to limit the manner in which the Trustees may gain information as to the work and operation of the University.

The President shall have as principal administrative officers a Vice President for Academic Affairs, a Vice President for Student Affairs, a Vice President for Administration, a Vice President for Research and Economic Development, a Vice President for Institutional Advancement, a Vice President for Information Technology, a Vice President and General Counsel, a Vice President for Governmental and Community Affairs, a Director of Governmental Relations and a Special Assistant to the President [for Diversity. The Special Assistant to the President for Diversity shall, at the direction of the President and in collaboration with the other principal administrative officers of the University, lead the development and implementation of the University diversity plan.](#) He also may have other assistants as are authorized from time to time and may also authorize the appointment of Associate Vice Presidents for each of the principal administrative officers, who shall perform such duties as specified.

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