

In The Matter Of:
State of Nevada Public Works Division
Videoconference Board Meeting

Thursday
December 18, 2014

Capitol Reporters
208 N. Curry Street

Carson City, Nevada 89703

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1 STATE OF NEVADA
 2 PUBLIC WORKS DIVISION VIDEO CONFERENCE BOARD MEETING
 3 THURSDAY, DECEMBER 18, 2014
 4 CARSON CITY, NEVADA

5
 6 THE BOARD: TOM METCALF, Chairman
 7 SEAN STEWART, Vice-Chairman
 8 GUS NUNEZ, Administrator
 9 CHRIS CHIMITS, Deputy Administrator
 10 WARD PATRICK, Chief of Planning
 11 TITO TIBERTI, Member
 12 ROY WALKER, Member
 13 BRYCE CLUTTS, Member
 14 STEVEN KWON, Member

15
 16 FOR THE BOARD: SUSAN STEWART,
 17 Construction Law Counsel

18
 19 MICHELLE SCHIERHOLT,
 20 Administrative Assistant IV

21 REPORTED BY: CAPITOL REPORTERS
 22 BY: Nicole Alexander,
 23 NV. CCR #446
 24 208 N. Curry Street
 25 Carson City, Nevada 89703

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1 CARSON CITY, NEVADA, THURSDAY, DECEMBER 18, 2014,
 2 9:00 A.M.
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 4
 5 CHAIRMAN METCALF: This is the time and place
 6 for the State Public Works Board Meeting, Thursday,
 7 December 18th at 9:00 a.m. The first item on the agenda
 8 is roll call. Michelle?
 9 MS. SCHIERHOLT: Michelle Schierholt, for the
 10 record. State Public Works Boards Meeting roll call for
 11 December 18th, 2014 at 9:00 a.m.
 12 Chairman Tom Metcalf?
 13 CHAIRMAN METCALF: Yes.
 14 MS. SCHIERHOLT: Vice-Chairman Sean Stewart?
 15 VICE-CHAIRMAN STEWART: Here.
 16 MS. SCHIERHOLT: Member Bryce Clutts?
 17 MEMBER CLUTTS: Here.
 18 MS. SCHIERHOLT: Member Steven Kwon?
 19 MEMBER KWON: Here.
 20 MS. SCHIERHOLT: Member Tito Tiberti?
 21 MEMBER TIBERTI: Here.
 22 MS. SCHIERHOLT: Member Roy Walker?
 23 MEMBER WALKER: Here.
 24 MS. SCHIERHOLT: Member Julia Teska?
 25 Mr. Chairman, we have quorum.
 CHAIRMAN METCALF: Thank you very much. Item

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1 Number 2 on the agenda is public comment. Is there any
 2 public comment at this time? Anybody down south? Okay.
 3 Seeing none, next item agenda, Agenda Item,
 4 I'm sorry, Number Three for Possible Action: Acceptance
 5 and Approval of the Public Works Board Meeting Minutes
 6 for October 29th, 2014. I'm looking for a motion and a
 7 second unless there's any comments.
 8 Member Walker?
 9 MEMBER WALKER: I have no comment. I'd like
 10 to motion that these be approved.
 11 CHAIRMAN METCALF: We have a motion. Looking
 12 for a second.
 13 MEMBER TIBERTI: Tito Tiberti. I'll second
 14 that.
 15 CHAIRMAN METCALF: Moved and seconded. All
 16 in favor, signify by saying aye.
 17 THE BOARD: Aye
 18 CHAIRMAN METCALF: Opposed? Motion carries.
 19 Okay.
 20 Next item: Agenda Item Number 4 for Possible
 21 Action: Discussion and Possible Action on the Staff
 22 Report as Requested by the Board During Agenda Item #5 at
 23 the October 29th, 2014 meeting.
 24 Mr. Gus Nunez?
 25 ADMINISTRATOR NUNEZ: Thank you,

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1 Mr. Chairman. For the record, Gus Nunez, Administrator,
2 Public Works Division. At the last meeting, the Board
3 had various comments, but in addition to that, on the
4 matters that we have here today, we've been looking at
5 for the deferred maintenance needs of the State to keep
6 our buildings functioning, our facilities functioning.
7 But you also asked for a number of
8 information, and one of them you needed some information
9 on the buildings and how old they were, so if you go to
10 the first attachment here, you'll see where we gave you
11 the number of buildings by agency, and which it includes
12 the square footage of the buildings, and I thought it
13 would be interesting, of some interest to you as to who
14 is responsible for the maintenance of these facilities,
15 so we included the maintenance responsibility as one of
16 the line items here.
17 So as you can see, we've got 2,847 buildings,
18 23,616,824 square feet in total. Of that, Nevada System
19 of Higher Education is 12,314,189. And then State, which
20 includes all of the agencies including NDOT, Legislature,
21 and it comes out to be about 11,300,2 -- 11,302,635
22 square feet. I hope that this is how you want it. I
23 considered giving you the information on a building by
24 building, but as you can see, 2,800 buildings, it would
25 have been a lot of paper, and I thought a summary might

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1 be best for you and to take a look in general at what we,
2 what the State currently has.
3 And you also asked, you were interested in
4 not only the building inventory, but you wanted to see
5 the year built, when these buildings were built. So that
6 is in the next attachment or exhibit that we gave you,
7 and it's titled, "Building Inventory by Year Built." And
8 as you can see up at the very top where it says 2020,
9 actually, those are totals to date, which is through the
10 end right now of 2014. And so currently, total square
11 footage again is 23,616,000 plus change. NSHE is about
12 12 million of that, 12.3 million of that. The rest of it
13 is either DOT, Legislature or State.
14 As you can see, if you go back a hundred
15 years, so that would be if you look at what we had in
16 1910 and average that with 1920, it's probably a little
17 over 900,000 square foot that we had a hundred years ago,
18 not quite a million, and 50 years later, we have
19 approximately 5, 6 million square feet. And then today,
20 you know, up through 50 years, we've gone from about a
21 little over five million all the way up to 23 million
22 square feet in facilities.
23 And if you look all the way over to the
24 right-hand side, you can see it's broken out. The State
25 facilities, not including the Nevada System of Higher

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1 Education, NDOT, or the Legislature on the far right,
2 which are the buildings we typically address in our CIP
3 for deferred maintenance, state funding for deferred
4 maintenance, you can see how the growth has occurred. So
5 if you compare that to the total square footage that's
6 been built every ten years, you can see where half of the
7 -- over half of that has been Nevada System of Higher
8 Education and less than -- much less than half would be
9 for State government-type facilities.
10 I wanted to stop here just one second to make
11 sure that, you know, there's quite a bit of information
12 all the way across the way we -- actually, Ward Patrick
13 broke this thing down for us in this spreadsheet here in
14 case you had a question about, you know, what all of
15 these figures mean. There was quite a breakout all the
16 way across, so I don't know if everyone picked up on
17 looking at the headings and those numbers and how it's
18 been broken out, if it makes sense to you, or if you have
19 any questions.
20 CHAIRMAN METCALF: If it's okay -- this is
21 Chairman Metcalf -- that maybe we let Gus go through this
22 presentation and then maybe everyone write notes and then
23 come back and ask questions at the end.
24 ADMINISTRATOR NUNEZ: That would be great.
25 CHAIRMAN METCALF: If anybody has another

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1 idea, that's fine, but just continue.
2 ADMINISTRATOR NUNEZ: Sure. Thank you,
3 Mr. Chairman. On the next tab here, there's Leasing
4 Services Information. You asked for a breakdown of what
5 we're currently leasing, and I reported the last time
6 around that we are -- we currently lease about, in
7 general terms throughout the state, about 1.8 million
8 square feet of office space. That includes close to 300
9 individual leases for that amount.
10 I think the last time I checked, we were
11 around 289, I think, leases total throughout the State.
12 That's Southern Nevada and Northern Nevada, which is Reno
13 and Carson City, and then rural would be the rest. And
14 we spend about \$34 million dollars a year for these
15 leases. I've broken down into northern and southern, and
16 then we took the northern and southern leases. We did
17 not include here any detail, by the way, on the rural,
18 but we included quite a bit of information here on the
19 northern/southern. Southern, again, is pretty much all
20 of Clark County and mainly the Las Vegas Valley area as
21 to what we lease there, and then up north is mainly Reno
22 and Carson City.
23 And then we broke it farther into what we
24 called Administrative Support and customer, and what we
25 label, define as customer-based services. The reason for

1 that generally is that generally -- not the rule, but
 2 generally, administrative support services, generally
 3 that square footage, it's very adaptable and belongs, in
 4 a lot of cases for efficiency of operations, they're
 5 better located in a government center in government-type
 6 buildings altogether; where the others, the ones that are
 7 classified as customer based, those are facilities where
 8 the program operations there is to provide services
 9 directly to the citizens of the State, and they need to
 10 be located strategically in areas where their customer
 11 base are at, so they don't typically belong in a
 12 government center.
 13 So basically, what -- You can look at this
 14 thing as administrative support is kind of like the hub
 15 of a wheel, and then the customer service are the spokes
 16 out there that are providing the services directly to the
 17 citizens of the State, and the hub is administrative
 18 support to support those services that are being rendered
 19 in the community. So a lot of them and most of them are
 20 SIMCO sensitive. They need to be in certain specific
 21 areas to meet all of the requirements of, in a lot of
 22 cases, federal requirements. And those typically, like I
 23 said, they don't belong in a -- don't lend themselves to
 24 be being built or located, co-located in a government
 25 center.

1 So quickly going through those, the first one
 2 we have, the Northern Nevada Administrative Support
 3 Services, and you can see there right now, we're leasing
 4 that amounts to 441,000 square feet of office space and
 5 2,500 square feet of storage warehouse space. In
 6 Southern Nevada, you're looking at those administrative
 7 services are approximately 110,660 square feet of office
 8 space, and 1,925 square feet of storage warehouse space.
 9 Going onto the customer base services in the
 10 totals there in Northern Nevada is 489,999 square feet of
 11 office space and 8,420 square feet of storage warehouse
 12 space. And in Southern Nevada, the total for that is
 13 569,773 square feet, or 4,800 square feet of office
 14 space. And I just want to reiterate, you know, what I
 15 stated about what belongs in the government center and
 16 what belongs out there. And I said generally in here,
 17 that's the case.
 18 In some cases, for instance, there are some
 19 what I call customer listed on -- agencies that are
 20 listed under customer-based services that actually lend
 21 themselves very well to being located in a government
 22 center. For instance, many of the agencies under the
 23 Department of Business and Industry have very -- even
 24 though they provide services to the -- direct services to
 25 the State, to the citizens of the State, it's very

1 low-volume traffic, so they -- and they lend themselves
 2 very well to being centrally located, co-located
 3 together.
 4 So they definitely, while I said generally
 5 the rule is those who are providing services directly to
 6 the customers, the citizens of the state, don't belong
 7 out in the community, in some cases, that's not
 8 necessarily a hundred-percent correct. It's generally
 9 that way, but not a hundred percent of the time, just as
 10 I explained here with respect to some of the agencies
 11 under Business and Industry.
 12 The other issue that we wanted to cover was
 13 you brought up the -- oh, the issue of maintenance and
 14 how maintenance is typically handled in here in the
 15 State, and the best way to do that is I wanted to
 16 summarize what I have here on the next tab on the
 17 facilities maintenance.
 18 It's a summary of what's in our State of
 19 Nevada's budget instructions. And if you read through
 20 that, after reading through all of that, basically, what
 21 it says, it directs the agencies to include in their
 22 budgets all routine and scheduled maintenance, building
 23 improvements and repairs under a hundred thousand
 24 dollars. And it excludes -- and that's typically
 25 maintenance that's nonstructural in nature or do not

1 affect the life safety of the building, so such as like
 2 meaning painting, carpet, re-carpeting, etcetera.
 3 Meaning that if it's over a hundred thousand or affects
 4 the -- or it's a structural alteration of the building,
 5 or if it affects the life safety of the building, then
 6 basically, they are directed to request those under the
 7 CIP, including those under a hundred thousand, which are
 8 under the statewide programs and the CIP, which is the
 9 ADA statewide program, roofing, life safety, advanced
 10 planning, mold abatement, indoor quality projects that we
 11 have. You see in that in the Capital Improvement Program
 12 that we go through every time.
 13 There's also what they call a Decision Unit
 14 M-425, which was created in 2005 to address air quality
 15 issues that at that time were what we call rampant, going
 16 through quite a few of our facilities, and most of them
 17 dealt with mold issues. And it was basically a result of
 18 the lack of maintenance of the building envelope. So
 19 basically, those M-425 units were to address the building
 20 envelope, including deep cleaning of interiors.
 21 And also at that time, Public Works had been
 22 noticing for the last several years a lack of maintenance
 23 on water treatment on the wet side of the HVAC system, so
 24 that was also addressed in the M-425. The nice thing
 25 about M-425 is that anything budgeted under that decision

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1 unit, you can transfer to cover other things in other
 2 areas of your budget once it was directed there. The
 3 other thing I thought it was important was that in those
 4 budget instructions, it defines deferred maintenance as
 5 maintenance that for whatever reasons was not funded when
 6 it was requested, and therefore, it was being requested
 7 again as something that can be addressed in M-425.
 8 Normally in the industry, we don't define
 9 deferred maintenance that way, as you all know, but in
 10 the budget instructions, deferred maintenance is defined
 11 just if it wasn't -- if you requested one biennium and it
 12 wasn't funded, then all of a sudden, that became deferred
 13 maintenance.
 14 Scheduled maintenance, which is discussed in
 15 the budget instructions, like I said, is not defined.
 16 And by that, I mean it's a criteria as to how that
 17 routine maintenance, our scheduled maintenance, what we
 18 call in some cases we call preventive maintenance of all
 19 your equipment in the building, equipment systems in the
 20 basically, how they're supposed to be maintained and the
 21 criteria for maintaining those buildings. That is not
 22 defined.
 23 So it's basically, at this point, it's left
 24 to each individual agency that is responsible for the
 25 maintenance of facilities to define that criteria and

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1 define what the scheduled maintenance or preventive
 2 maintenance program and how that's going to be performed,
 3 and to what level it's going to be performed is up to
 4 each individual agency that's responsible for the
 5 facility to develop that and then implement that, so
 6 there's not a statewide standard.
 7 I've had recent discussions with the budget
 8 office because we are, B&G, Building and Grounds,
 9 currently, we've just initiated what we call our
 10 preventative maintenance program is now computerized, so
 11 we have a computerized maintenance management system
 12 which actually schedules -- part of that system will
 13 provide, will kick out work orders every day to do the
 14 preventative maintenance of the State.
 15 To do that, obviously, you've got to define
 16 actually what I call locate, tag each piece of equipment
 17 on each system in each building and then define the
 18 criteria as to how that and how often that piece of
 19 equipment is going to be maintained, and we just went
 20 live with that. It still needs to mature a little bit
 21 more, but it's also one of the things that this system
 22 has required us to do in order for it to be working, not
 23 only to identify every system and piece of equipment in a
 24 building, but it requires you to define how you're going
 25 to maintain that or what is the criteria for the

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1 maintenance of that particular equipment or system, and
 2 how often you're going to do that maintenance. It all
 3 has to be defined. So for the system, for this
 4 computerized maintenance system to work, it forces you to
 5 do all of that which needs to be done straight across the
 6 board and should be done throughout the state.
 7 In discussions with the director, we've been
 8 talking about how do we roll that out to the rest of the
 9 state so that we can be consistent throughout the state,
 10 and that will be coming up hopefully in the future once
 11 we get our system completely running, which I'm hoping
 12 within the next six months, it will be fully running, we
 13 can roll that out to other state agencies.
 14 The last part that we wanted to cover the
 15 last time around we talked a little bit about public
 16 private partnerships, and Susan and I were -- we just
 17 happened that at the beginning of this month, there was a
 18 seminar in Southern Nevada that part of it addressed what
 19 we call these P3s or public private partnerships, and we
 20 got a chance to attend. There were other courses there
 21 that I attended regarding CPM scheduling, claims, how to
 22 settle claims and other things, quite an extensive
 23 two-day seminar, but Susan put a small, I guess, a few
 24 pages of an update as to what's going on in this country
 25 with respect to P3's, and she's just going to present

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1 that portion to you.
 2 So I would like to, at this point, turn this
 3 thing over to Susan Stewart, Counsel, and have her go
 4 through this part.
 5 COUNSEL STEWART: Okay. Mr. Chairman?
 6 CHAIRMAN METCALF: You bet.
 7 COUNSEL STEWART: Okay. For the record,
 8 Susan Stewart, Construction Law Counsel. Good morning,
 9 everyone. This is intended to be primarily a 10,000-foot
 10 level view of what other states are doing with respect to
 11 P3.
 12 And before I go into a little bit more
 13 detail, in your Board packet, Exhibit A, is a Vertical P3
 14 Project. There's a map of the United States, and I
 15 apologize. When we made the colored copy of this, the
 16 green turned out blue, and the tan turned out white, but
 17 if you look at the map, it's intended to represent those
 18 states that have legislation in place that allow vertical
 19 P3 projects. And if you look, Nevada is identified as
 20 not definitive.
 21 And I suspect the reason for that is that the
 22 NDOT does have authority to do P3s, and within their
 23 statute, it talks about airports and mass transit
 24 facilities, which are and could be vertical, so I think
 25 that's why Nevada is listed there as not definitive.

1 I did want to mention that UNR currently has
2 a P3 with Bellflower, I think is the name of the
3 organization, for graduate housing. The Elko Convention
4 Center is currently pursuing a P3, so there are P3s going
5 on in Nevada, but they do not involve the State, per se,
6 so they would operate under different legislation than we
7 would or NDOT would.
8 What I included here for you is just a
9 general overview of what some other states are doing, and
10 it's kind of a little bit of intended to give you a
11 spectrum of what's going on out there. Interesting,
12 California allows local governments to do P3s, but not
13 the State. And my limited understanding of the reasoning
14 for that is there's California Engineers, California
15 State Engineers do a lot of the engineering for all of
16 their projects, and under a P3 scenario, they would lose
17 that role, and so they lobbied effectively to limit P3 to
18 just local governments. That's the skinny I heard on
19 that.
20 Now, P3 was authorized under separate
21 legislation, and I included in Exhibit B just a brief
22 summary sheet of the Governor George Deukmejian
23 Courthouse in Long Beach, and that was separate
24 legislative authority given to the administrative office
25 of the courts. And the reason that I included this in

1 Board wants us to pursue, and that's the conclusion of my
2 presentation. Gus has one more thing.
3 ADMINISTRATOR NUNEZ: No. Just to conclude
4 on this thing, you know, basically, the bottom line is
5 for vertical, for let's say a general office building in
6 the State of Nevada, to do a P3, it would require
7 legislative action. So right now as it stands, or
8 enabling the Legislature as it stands, we couldn't do a
9 P3.
10 However, I want to make sure that you
11 understand that we can do lease purchase, which is how
12 the Bryan Building was done, and that's under the
13 treasurer's NRS. Also, a scenario of a lease, leaseback,
14 where the State would own the facility at the end of the
15 term, I think, I believe that we've looked into that, and
16 I think that would also fall under the definition under
17 the treasurer's NRS that could be that type of
18 arrangement would also work in the same way that what I
19 would classify as a lease purchase.
20 We, Public Works right now currently has, is
21 in the final throws of contracting. We went through the
22 RFP process, through purchasing, and to select a firm
23 team out there to look at these scenarios. As you know,
24 we always, every biennium, we look at owned versus leased
25 for State facilities, and that's what happened with the

1 here is I just thought that this was a very interesting
2 concept. It is the Long Beach Courthouse, but for the
3 State of California. But they lease a huge portion of
4 the building to the county, and then there's also retail
5 space in the building.
6 Also, my understanding is it is a
7 performance-based arrangement, so if the building doesn't
8 perform to certain standards, the amount that the -- I
9 think it's the Judicial Council of California is required
10 to pay can be adjusted if the building doesn't perform as
11 required. So I just thought that was a way innovative
12 way to partner with county, state, and local retail
13 businesses, and included that as an example.
14 Arizona is an example that is, I think,
15 similar to what Nevada has. It allows P3s, but it's
16 related to transportation facilities. And then finally,
17 I included just a little bit of information about
18 Florida. Florida is essentially wide open and encourages
19 P3s on all different levels for counties, municipalities,
20 school boards, and all other political subdivisions for
21 both vertical and horizontal projects. This was
22 intentionally just kind of a broad presentation.
23 If there's, you know, if you have any
24 questions you want me to drill down, there's certainly
25 templates here for moving forward if it's something the

1 Bryan Building. We found out that it made sense at that
2 time to own versus continue to lease for DCNR at that
3 time here in the Carson City area, and we moved ahead.
4 What happened after that, after the project
5 was built, is that we had -- we went through quite a bit
6 of an inflation, and lease rates actually went through
7 deflation then after that because of the economic issues
8 that we went through. So lease purchases was no longer
9 -- no longer made sense at that point. But we've been
10 looking at it every biennium, but we've been doing that
11 work in-house.
12 So this time around, we wanted to look at
13 just instead of strictly lease purchase like we did the
14 Bryan Building, we wanted to look at other ways that
15 maybe the State may be feasible to do under current
16 statutes to determine, to answer that question is it
17 better to continue to lease the facilities that we have,
18 or would it be better to own. Again, lease versus own,
19 and we wanted to look at all of the options that are
20 available currently in the marketplace that are currently
21 legally authorized under the Nevada Revised Statutes.
22 And we are just -- we finished, we just at
23 this point, we just finished negotiating the contract,
24 and the contract is being prepared to be signed, and we
25 expect to see the results of that in the next 60 days,

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1 some type of report back from this team that we've
2 selected. And so we, at that point, we will definitely
3 share the results of that analysis, that we call it, a
4 feasibility study analysis and see what that yields and
5 what that looks like. And we'll be bringing that back to
6 you, sharing that with you at that point. That concludes
7 our presentation.
8 CHAIRMAN METCALF: Okay. Thank you.
9 Chairman Metcalf. I'm going to go ahead and look for any
10 questions or comments on this Agenda Item Number Four.
11 I'd like to start down in the south. And are there any
12 public down south? I can't see.
13 MEMBER TIBERTI: No.
14 CHAIRMAN METCALF: No, no public. Okay. We
15 have at least a few, four or five. Well, non-Board
16 members. How is that? So let's start with the Board
17 members down south, Board Member Kwon, and maybe go
18 around the table. Do you have any comments, or do you
19 want to pass it off?
20 VICE-CHAIRMAN STEWART: Sean Stewart, for the
21 record. I think this is good information to have.
22 Obviously, we almost had a major P3 project down here,
23 Project Neon. That was changed because of the bonding
24 rate changes to an actual State-funded project. I think
25 it's new. It's obviously got its hiccups.

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1 A good friend of mine, I can't remember
2 exactly which state it was. I think it was Montana where
3 they built the sewage system, sewer system privately, and
4 then now the city is suing to get control of that sewer
5 system back. It's running so well, they kind of like how
6 it's working. So there are some hiccups in the process.
7 I know it's been a major success in
8 California. A lot of the buildings and projects are
9 being built with P3 over there. I do sit on a couple of
10 different groups, and one of them we're looking at with
11 the Regional Transportation Commission in San Francisco
12 right now, they're building a major transit center
13 similar to what we'd like to do someday here in Las Vegas
14 where you arrive by airplane, and then you can leave by
15 taxi, bus, train, high-speed rail, all in one facility.
16 I think it's a four or five billion-dollar project. I
17 don't even know what you would call it, but you have
18 money from different entities, you have money from the
19 state and nationals, you have private investors, and
20 they're all lumped in together, and it's made it possible
21 for them to accelerate that program much faster than they
22 ever could have with traditional financing. So I
23 definitely think it's something that we will look to in
24 the future. And that's all I have to say about that.
25 CHAIRMAN METCALF: Member Tiberti?

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1 MEMBER TIBERTI: Well, I've gone through this
2 carefully trying to find Sean Stewart's hidden ownership
3 in these things. He must have a sophisticated dealing
4 here because I didn't see Stewart on anything.
5 I think this is great, kidding aside, I think
6 this information, Gus, is really going to be needed
7 because I'm really concerned about the deferred
8 maintenance of this whole state for all of the stuff. I
9 think you getting your group to have all of this data of
10 what we're getting up to because we always love to go
11 build new buildings, but we've got to take care of what
12 we've got, and it looks like to me, I'm waking up to the
13 fact that the whole state and the county and the city, we
14 all have lots of buildings that we built.
15 If you look at the schedule of decades you
16 have, you know the 2000's and 1990's, you know, we built
17 a huge number of buildings, and that's starting to be 15,
18 18, 20 years old. And another three, four, five six
19 seven, eight years, it's going to be a huge amount of
20 maintenance. And I'd like to be the responsible agency
21 that telegraphs this to everybody because nobody likes
22 taking money from a glamorous sexy project, putting it
23 into a boiler or a roof or, you know, something like
24 that.
25 So I think this is going to be something

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1 that's going to sober up a lot of people on what we've
2 got a responsibility for what we've already got. So
3 nothing can wake us up better than you having good data,
4 so I'm really supportive of this whole computerized
5 breaking it down and projections so we can talk to the
6 Legislature in a way that makes some sense.
7 CHAIRMAN METCALF: Member Clutts?
8 MEMBER CLUTTS: Bryce Clutts, for the record.
9 Gus, just a couple of clarifying. So the agency building
10 area summary, that is what we own; correct?
11 ADMINISTRATOR NUNEZ: Let me go there right
12 quick.
13 MEMBER CLUTTS: The 23 million square feet?
14 ADMINISTRATOR NUNEZ: Yes. On that, the 23
15 million, that includes the Nevada System of Higher
16 Education and the Legislature and DOT.
17 MEMBER CLUTTS: But that's not leased.
18 That's all owned?
19 ADMINISTRATOR NUNEZ: Exactly. That is all
20 owned.
21 MEMBER CLUTTS: And I was trying to hear. I
22 was having a hard time. It's more on me. With respect
23 to the feasibility study, Gus, that you mentioned, is
24 that feasibility study to assess the cost difference
25 between what it's costing the State to own versus lease

1 with respect to maintenance? Did I understand that
2 correctly?

3 ADMINISTRATOR NUNEZ: No. What that will
4 evaluate is we'll look at what is the capital cost of
5 leasing -- well, the capital cost of owning, and what the
6 debt service requirements would be for that and then
7 compare that to what we're paying on leases.

8 So again, we're paying \$34 million dollars a
9 year on leases, granted a lot of those don't belong in a
10 government building in a government complex, but
11 certainly some of them definitely do. So based on how
12 much we're currently paying for leases, it is more
13 economical to build and own, or is it more economical for
14 the State to continue to lease? That is the question
15 that we ask ourselves every biennium. Like I said, we
16 look at that. We've been looking at that every biennium
17 and doing that work in-house.

18 What we've done this time around is that
19 we're outsourcing for the first time that analysis, and
20 to be done by a private firm right now, and that's where
21 hopefully we'll see some results back here in the next 60
22 days. But obviously, if we end up in a lease, leaseback
23 scenario rather than lease, straight lease purchase, we
24 could certainly be looking at something that would
25 include the deferred maintenance needs because I imagine

1 average, what we pay on all of our buildings here in the
2 State, B&G buildings, the ones that B&G maintains, we
3 have data on that. We usually pay anywhere from 7 cents
4 to 11 cents for janitorial, we pay around 22 cents a
5 square foot for utilities, we -- and I shouldn't say pay.
6 That's what it's costing us. And it's costing us around
7 30, 35 cents for maintenance. And we also have to put in
8 for Capitol Police. I think Capitol Police is around 14
9 cents a square foot.

10 So anyhow, we actually take what the debt
11 service is, we add to that, you know, janitorial,
12 utilities and maintenance, and if it's going to be a B&G
13 building, we have to add Capitol Police because we fund
14 Capitol Police to that, and then we compare that rate
15 that we come up with to the rate that we're paying for
16 leased space for a full-service lease. So typically, all
17 of our leases are full-service, basically, so it includes
18 all of those items. It includes janitorial, maintenance,
19 and utilities. That's what we typically negotiate on all
20 of our leases. So we make a comparison at that point.

21 The other thing that we know is that
22 traditionally, except for we had a downward spike there
23 here awhile back, leases have generally been going up
24 about one and a half percent per year, so that's what
25 we've been experiencing if you look back over time. So

1 investors are going to want to make sure that -- at least
2 through the terms of the lease, that things are taken
3 care of.

4 MEMBER CLUTTS: Yeah, that was going to be my
5 next comment is in that assessment. Are we looking at
6 what the cost of the maintenance is when we own buildings
7 versus what the cost is of the maintenance by the
8 landlord that's to some degree built into the lease in
9 assessing both the capital cost of the purchase plus the
10 cost of the maintenance versus the lease. Is that
11 maintenance component being considered so we can really
12 get an apples-to-apples idea?

13 ADMINISTRATOR NUNEZ: Yeah. What we
14 typically do, we go okay. It's going to cost ex amount
15 of money to build. Let's say we recently did an analysis
16 in-house on a 135,000 square-foot building in Vegas and
17 figure out what the -- contacted the treasurer's office
18 with respect to what sort of interest should we assume
19 for this, you know, analysis that we're doing just for
20 the debt service. They said, "Use five percent." We
21 used five percent and we said, okay. If we are paying
22 monthly on that, what is the monthly payment, and what
23 does that look like per square foot.

24 In addition to that, what we do is we say,
25 okay. Then we apply what we're currently paying for

1 in the analysis, you need to take that into
2 consideration, where if you own that payment is set now
3 for the next -- let's say that you look at a 25-year term
4 to pay off that facility. You know that for 25 years,
5 that's set, where when you're leasing, that rate is going
6 to continue to escalate over time. That's what we
7 typically experience with the State.

8 And obviously, after 25 years, you own it
9 free and clear, and that needs to be taken into
10 consideration. But at the end of the day, you do need to
11 consider under the current economic conditions of the
12 state, you really have to pay attention as to what is --
13 what are you going to be paying in on day one versus what
14 you're currently paying because, you know, we just don't
15 have any money to do any different at this point. So you
16 really are somewhat, because of the economic conditions,
17 again things are looking, in our opinion from what we see
18 and hear, is that things are improving. The economy is
19 improving, but we just saw that we here recently at an
20 IFC meeting that we had an issue with some shortfalls on
21 our revenue projections that we all saw here recently
22 that was presented at the Interim Finance Committee to
23 the Legislature.

24 So generally, I think we're looking at
25 improvements, but today right now, I think you got to

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1 look at what's happening today, day one. It would be
2 nice to look over a 50-year period and say, gees, that
3 makes sense. Let's do it. But you still got to be able
4 to afford it on day one.
5 CHAIRMAN METCALF: Member Clutts, any more
6 comments, sir?
7 MEMBER CLUTTS: Yeah, just one more. I'm
8 just I'm thinking out loud here that it seems -- and I
9 don't know the details of the budget by any means, but it
10 seems to me that it's easier to sell, as part of the
11 budget, leased office space or leased space, let's say,
12 than it is funding maintenance.
13 We have hundreds of millions of dollars of
14 maintenance that we can't get funding for, but I don't
15 hear a discussion about well, we don't have funding to
16 pay our leases. And so I think that needs to be
17 considered going forward if the Legislature is not going
18 to fund the maintenance of these projects. That variable
19 has to be in the discussion about well, they continue to
20 fund the payment of leases, which the maintenance is
21 built into the lease by the particular landlord, and
22 those buildings are functional. And here, we're talking
23 about hundreds of millions of dollars of maintenance that
24 nobody is funding on buildings that the State owns that
25 are falling apart, and I'm just not -- I'm trying to find

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1 the road of least resistance.
2 CHAIRMAN METCALF: Member Clutts, this is
3 Chairman Metcalf. I've been writing notes while
4 everybody has been talking. Maybe if we could let
5 everybody finish, and then I'll try to read through my
6 notes and see if everyone can poke holes at it. How is
7 that?
8 MEMBER CLUTTS: Yeah, I'm done. That was my
9 last comment.
10 CHAIRMAN METCALF: Member Walker?
11 MEMBER TIBERTI: Chairman?
12 CHAIRMAN METCALF: Oh, I'm sorry. Member
13 Tiberti?
14 MEMBER TIBERTI: We have Steve Kwon here.
15 Sorry.
16 CHAIRMAN METCALF: Oh, I thought I started
17 with him, sir.
18 MEMBER TIBERTI: Okay. I'm sorry.
19 CHAIRMAN METCALF: Member Walker?
20 MEMBER WALKER: Member Walker. I believe
21 there's about three issues that we have before us today.
22 One is maintenance, one is getting the biggest bang for
23 our buck, and the other one is selling what will
24 eventually come out of this.
25 I'd like to address first the maintenance

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1 issue of what my thinking, again, I'm just kind of
2 thinking out loud. The maintenance issue is absolutely
3 huge.
4 Now to go to things that I know sitting as a
5 Board member. We are governed by NRS 341. Within 341,
6 we are given in title planning, maintenance, and
7 construction. But then as you go farther into this into
8 weasel words, I'll say, it takes away maintenance from
9 this Board because it doesn't allow us to do that. But
10 yet in our budget projections, we have our maintenance
11 items, which are the M items, which amounted to \$64
12 million dollars out of a \$68 million-dollar budget. So
13 I'm kind of confused.
14 How do we address the maintenance issue when
15 legislatively, I believe they've taken -- maintenance is
16 not under our real thing we're supposed to be doing, but
17 there is nobody else doing maintenance within the state,
18 so I think we have to take control of the maintenance
19 because it's the biggest part of our budget. So I do
20 know that.
21 When I look at what is presented to us, it's
22 not called maintenance. It's called repairs and remove
23 and replace. So in repairs and move and replace, is that
24 how, I guess, this would be to Susan, we get through that
25 issue?

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1 Then from the maintenance part of this, from
2 the facility maintenance that each agency gets, I should
3 probably frame the issue. I could go buy a new car
4 today, not put oil in it, not change the oil in it, and
5 maybe get 20,000 miles out of it, or I could buy a new
6 car today, change the oil per the factory warranty, drive
7 it, and get 300,000 miles out of it.
8 And I'm relatively appalled when the State
9 doesn't have a maintenance issue that can determine are
10 we going to get 300,000 miles out of our car or 30,000
11 miles out of our car. There is a need for, I think as a
12 board, we've got to scoop this in. There's a huge issue
13 of are we going to have a 30,000-mile car or a
14 300,000-mile car. So when there isn't a policy within
15 the State to do this, huge gaping hole.
16 I know that from my business, I have a lot of
17 equipment. My maintenance budget for my equipment, rough
18 numbers, I spend 65 percent of my maintenance budget on
19 preventive maintenance; 35 percent on maintenance, on
20 fixing things in a routine, scheduled manner. I do my
21 preventative maintenance, and I get, from my 30,000-mile
22 car, I get 300,000 miles. That's how I have to run
23 economically. And we don't do that.
24 Agencies are given an instruction: All
25 routine and scheduled maintenance. I really don't know

1 what that means, and I'm probably more closer than the
2 director at the agency to that. Premature failure of
3 HVAC. We've witnessed so much premature failure here
4 within the State. The inventory that Gus mentioned. We
5 need that. Deep cleaning of interior. Okay. Deferred
6 maintenance issues, and the definition. You'll love this
7 one. How many millions of dollars have you submitted to
8 us to do things we can't approve because we don't have
9 money and that gets added onto the end? Tito's first
10 part of this is absolutely huge with using the State's
11 own definition of things. This is just being swept under
12 the rug, in my simple terms. And I think I've made .
13 enough talk there.

14 The second issue, how do we get the biggest
15 bang for our buck? Absolutely have to go down this road.
16 There's no dough. Our preventative maintenance is taking
17 up all of the money. There won't be any new. Then the
18 third is how do we sell it. Director Bryce had the right
19 answer. We've got to sell this stuff.

20 CHAIRMAN METCALF: Yeah.

21 MEMBER WALKER: And that's the issue. So
22 that's enough for me right now.

23 CHAIRMAN METCALF: Thank you, Member Walker.
24 I'd like to -- There's no public, I guess, that's walked
25 in in the south since I've asked?

1 CHAIRMAN METCALF: Okay. Well, thank you,
2 everybody. First of all, thank you, Mr. Nunez, for the
3 presentation, and Ms. Stewart, and all of the comments
4 from the Board.

5 I was present yesterday at a lunch meeting
6 with Mr. Davis and Leo Drozdoff, the Director of NDEP,
7 and Gus and I kind of are using it as an example to hear
8 one state agency, and not really at the top of the totem
9 pole, and so it's very interesting. And I've written
10 some notes, and I'm trying to quantify it.

11 If we go forward to the next meeting in
12 January, which we have said we would like to have a
13 meeting every month until we decide not to, the first
14 thing I wrote down was when Gus mentioned that we have,
15 let's say, 24 million square feet, and NSHE has 12
16 million square feet, pretty simple math. It's half. And
17 when that gentleman at the CIP process in August said we
18 have \$1.5 billion dollars in deferred maintenance, double
19 it.

20 Tito, I think we talked. Is it \$3 billion?

21 Is it \$4 and a half billion? Let's call it \$3 billion
22 dollars. Well, we've got 24 million square feet. I
23 don't have a calculator so, you know, how much is that
24 per square foot? It's a lot of money. So that's the
25 first thing is, can we project the ramifications? Can we

1 MEMBER CLUTTS: No, sir.

2 CHAIRMAN METCALF: Or no state agency
3 representatives?

4 MEMBER CLUTTS: No.

5 CHAIRMAN METCALF: We have several members up
6 here. I'd like to throw it out to anybody here in the
7 audience that would like to say anything at this point
8 before I try to put a bow around something.

9 Mr. Davis from NDEP?

10 MR. DAVIS: Or State Parks.

11 CHAIRMAN METCALF: Or State Parks.

12 MR. DAVIS: Yeah. I think that Mr. Walker

13 stated it succinctly. I mean, you know, we do submit, in
14 our operations budget, in our maintenance budgets on an
15 annual basis and get a small percentage. We submit in
16 M-425, the massive list, which is then culled down to a
17 small percentage, which then brings us to having to bring
18 it to development through the CIP because things are
19 falling apart by that point. And if you want to sum it
20 up in a nutshell, that's it.

21 CHAIRMAN METCALF: Deferred maintenance. Is
22 there any other comment?

23 Mr. Chimits, do you have anything to say?

24 I'm just offering before I kind of --

25 DEPUTY ADMINISTRATOR CHIMITS: No.

1 do a timeline by biennium? What is deferred, and can we
2 quantify it? Because we can sit here all day long and go
3 it's a billion five for NSHE and a billion five for the
4 State, but I don't have any backup. I don't know for
5 sure what the amount is, what it consists of.

6 I mean, we have a nice table now that says we
7 have 2,800 buildings at 23 million square feet. Well, to
8 me, that's a start. We're quantifying what we have.

9 Okay. Each one of those buildings was built at a certain
10 year. We've got that list kind of in a total. But are
11 we going to drill down and present to somebody that we
12 have to sell this to that here it is. This is
13 definitive, you know. This is a projection of what it
14 looks like, and we have to offer solutions.

15 So we've talked about leasing buildings.
16 Member Clutts, we've talked about P3. Ms. Stewart gave
17 us a presentation of other states. We have a feasibility
18 study by a company, and I'd like to know possibly if
19 maybe that company could come talk to us. You did
20 mention that, Gus, and maybe could they come give us a
21 report or a status report in January? Could we agendize
22 that?

23 The other thing that I wrote down is -- and I
24 don't know how to exactly say this, but I think in
25 quantifying our deferred maintenance and the scope, in

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1 the facilities maintenance description, it says here:
2 Deferred maintenance basically needs to be handled by the
3 agency. All routine and scheduled maintenance, building
4 improvements and repairs under a hundred thousand
5 dollars.
6 Well, that's not going to come to us, but who
7 says that these agencies -- and I cannot blame anybody
8 period, and I'm not pointing fingers, doesn't bundle
9 these under a hundred thousand-dollar deferred
10 maintenance issues until they become a hundred thousand
11 because they have to because of other pressures. How do
12 we quantify that. Yesterday, Gus shared a projection of
13 inflation report to me that is it Cummings?
14 ADMINISTRATOR NUNEZ: Uh-huh.
15 CHAIRMAN METCALF: I'd like every member of
16 the Board to get a copy of that because we're all in the
17 industry, but Gus, when you get a chance, you might want
18 to -- I'm not going to say anything about it. I'll let
19 you do it after. I'm almost done. Maybe -- because
20 that's scary, that report.
21 And the last item is what everybody's been
22 talking about. We could talk about this all day long and
23 have meetings, get some interesting information. We need
24 to sell this. Well, who do we sell this to? We have to
25 sell it to the Legislature, and that's kind of the end.

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1 And again, it's offering solutions. We can identify the
2 problem, we can help, but we have to offer solutions.
3 And to me, that needs to go to the Legislature.
4 Gus, if want to make a real quick comment on
5 that Cummings report, it was real interesting.
6 ADMINISTRATOR NUNEZ: We just received a
7 report from this company. They do keep track of the bids
8 and inflation in this area, and they're -- I think
9 they're a little bit on the high side myself, but they're
10 project -- they did part of the report and their
11 analysis, they did a pre-Tesla report, and this is for
12 Northern Nevada, by the way. A pre-Tesla report, and
13 one, a post-Tesla report on projections.
14 And for '15 and '16 -- I can go get the
15 report. For '15, I think they were projecting eight
16 percent inflation, and for '16, they're projecting 10
17 percent. And I think it comes back down a bit for '17
18 and '18. Yeah, it's quite concerning to us because we
19 obviously prepared our CIP and inflation that's in the
20 CIP is pre-Tesla. And so we're right now looking at the
21 CIP very, very closely.
22 And I think post-Tesla, we have, after the
23 analysis was done, I think we were looking more around
24 perhaps inflation could go up as much as, you know, up to
25 four and a half percent, maybe five, but this report was

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1 -- I need to look at it myself, actually. I just
2 received it a couple of days ago, and yesterday I didn't
3 get much of a chance to look at it in any detail, but I
4 know that it's got us -- it's got Chris and I over here
5 squirming in our seat a little bit with respect to the
6 budget that we prepare for the CIP, and we're giving a
7 heads-up to the budget office. We're giving a look at
8 actually doing a little more detailed analysis to
9 determine which projects, for instance, are going to go,
10 and how quickly they will go as soon as the CIP is
11 approved in July of next year once the CIP is approved.
12 What's going to go out to bid right off the shoot, and
13 how much do we have in there for inflation and
14 contingencies.
15 So we're sort of extremely concerned about
16 inflation at this point. And if that's correct, boy, we
17 haven't seen that since 2004-2005, in there, 2006 where
18 we were experiencing like one to one and a half percent
19 per month at that time. So I hope we don't see that
20 again. I think that they're a bit on the high side, but
21 we're consulting with others, seeing where they're at and
22 now with their post-Tesla projections for this area up
23 here.
24 I know a lot of the primes here are concerned
25 with respect to finding sufficient amount of subs because

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1 Tesla is planning on using local subs, and they'll
2 definitely keep them busy for quite awhile. So what do
3 the other primes do to get -- for subs on the, you know,
4 subcontractors on their projects when they're all -- if
5 they're going to be, the majority of them are going to be
6 tied up at the Tesla facility for could be a number of
7 years.
8 So anyhow, that's -- And again, that goes to
9 the supply and demand, supply, and, you know, when that
10 happens and it has an effect on cost. So again, we're
11 very concerned about that with this coming CIP right now,
12 what is exactly is going to happen. I know the last time
13 we went through some high inflation in '04-'05 and '06
14 and a little bit of '07 before things dropped off, boy, I
15 know just about everyone's crystal ball with respect to
16 projection was pretty much broken, and we were no
17 exception. We had a heck of a time estimating projects
18 and making them come in within budget at that time. It
19 was not -- it definitely was not an easy task. But
20 anyhow, we're doing everything we can on that.
21 The only other thing I would like to mention,
22 Mr. Chairman, is that with your guidance and with the
23 information that we've presented, we can start trying to
24 summarize things for you and bring in some proposed
25 recommendations that you could consider in the future at

1 a future meeting in addition to maybe us have, like you
2 indicated, having the firm that's doing our feasibility
3 study right now actually instead of waiting for a report
4 to come in, we'll see if they can come in and actually do
5 an actual presentation on their findings at that point to
6 the Board.

7 But we certainly -- but I think that we have
8 a lot of -- we've presented a lot of data and
9 information, and I think we're probably in a position,
10 and I think some of these categories that you've been
11 looking at with respect to starting to quantify, trying
12 to quantify as best as we can and project what our needs
13 are or should be, you know, to the level of funding that
14 we should have in order to keep up. It's an issue.

15 One of the things that I learned, I've been
16 thinking about since the meeting that we had yesterday
17 with Mark and the director from DCNR is that just like I
18 pointed out to the director, when we looked at when the
19 PM's basically looked in detail at all of our projects
20 this time around, they came back and said we need to do
21 about projects that they felt in their opinion needed to
22 be done here in the next CIP. I think that they
23 identified about 200 million of those projects that
24 needed to be done.

25 Then we understand that all we have is like

1 amount of maintenance that we do. And the only way to
2 increase that is additional funding. I just, for
3 maintenance purposes, I just don't see a really another
4 way around.

5 Obviously, as you saw this time around, we're
6 trying to do as much as we can with other funding, so
7 we're identifying projects that have a payback of, you
8 know, of 15 years or less so that we can get together
9 with the agency and say would you be willing to pay for
10 this particular upgrade, replacement, whatever it may be,
11 from the utilities savings that you're going to have in
12 your budget over the next 15, 20 years. Would you be
13 willing to do that?

14 If they're willing to do that, then we're
15 putting it into that statewide energy efficiency
16 statewide that we've created, and therefore, we can go
17 after some type of a revenue bond to do those projects so
18 that we have more money to do other projects that don't
19 have a payback, that is not a -- it's not something
20 that's going to have savings from your utility bills, or
21 even if it does, the savings are such that you can't pay
22 them back in a reasonable amount of time. So those are
23 the things that we're trying to do. And obviously, we
24 need to do more.

25 But like I said, I think it's time to start

1 \$65 million dollars, so now you've got to prioritize.
2 You can't just say we have 200 million. We don't have to
3 prioritize. We just say we're going to do all of those
4 projects. But because there's not sufficient money, we
5 need to prioritize. Okay. So when we prioritize, how do
6 we do that? Well, we've got to look at essential
7 facilities like prisons. You can't shut down Ely State
8 Prison or Lovelock or Southern Desert. Those things have
9 to function. Hospitals, for your psychiatric hospitals,
10 your forensic hospitals, HHS manages. You can't let
11 those things shut down. You've got to keep up with them.

12 So what happens is, for instance, with State
13 Parks, with Museums, by the time you get to them, the
14 money is already pretty much all gone. And it's not the
15 fact that it's all gone and they can look forward to next
16 biennium, but it's gone, and the next biennium, the same
17 thing is going to happen at this level of funding. And
18 pretty soon, somewhere along the line, they're going to
19 be faced with potentially partial shutdowns of facilities
20 or maybe --

21 MR. DAVIS: Or complete.

22 ADMINISTRATOR NUNEZ: -- or complete shutdown
23 of some of their facilities. So that's an issue that
24 needs to be, you know, needs to be addressed. And the
25 only way to address it is to basically increase the

1 sort of like taking all of this information, start making
2 some sense out of it, putting it together and bringing
3 some recommendation, start bringing some proposed
4 recommendations for you to consider and deliberate or any
5 others that you may want us to look at in detail.

6 CHAIRMAN METCALF: Thank you, Gus. I'm going
7 to go back to Member Walker and then throw it back to the
8 South, and then I've got a couple of things. Maybe we
9 can wrap this up, a couple notes. Member Walker?

10 MEMBER WALKER: I'll be real short. The
11 State being without a real maintenance policy, I see that
12 as something that we inherited from Buildings and
13 Grounds, and it came from Buildings and Grounds to Public
14 Works, so I don't see any issue with remaining business
15 as usual. But I do believe we can get some, at a
16 minimum, some policies of how this would be dealt with.
17 But with a policy, I chime right back with Gus, comes
18 funding of a policy. No matter how we turn this cubit,
19 it is going to come back to that dollar. And with that,
20 it's in search of money to do this because it is -- there
21 are two times two four, and as we look at each CIP
22 budget, it's almost a squared issue that comes back
23 before us every year.

24 And without solving the dollars, it was a
25 coincidence that the AFCE report on the State of Nevada

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1 yesterday that our infrastructure is down \$15 billion
2 dollars, it came out. And we're discussing this, and
3 it's how do you begin to eat away at this apple that's
4 not -- we can supply some solution to the legislative
5 body, but this is political about dollars.
6 As Tito said, are you going to buy a vote
7 with a new building or buy a vote with a mechanical
8 system inside a building? They're not cute. I would
9 like to move forward with maintenance, which will
10 continue, I guess, to you. Do we have the authority to,
11 or are we just going to take it and move forward?
12 COUNSEL STEWART: For the record, Susan
13 Stewart, Construction Law Counsel. We do have authority
14 under 341 to perform maintenance. And generally, the
15 breaking point, my understanding, is the hundred thousand
16 dollar is it belongs with and it would be termed major
17 maintenance.
18 I think that there -- If you look at what we
19 put together for you, there are some gaps there in what
20 is deferred maintenance, what is major maintenance, what
21 is repair, remodel. A lot of those terms have not been
22 defined, and I think what's missing is also what is the
23 agency's responsibility, going to your point of are we
24 going to have a, you know, a vehicle that dies at, you
25 know, 30,000 miles or 300,000 miles, and how do we

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1 account for that.
2 And there may be some direction to develop
3 some policies and perhaps proposal of some statutes that
4 address that, and of course it all comes back down to how
5 is it going to be funded, but at least perhaps that's a
6 way to approach a solution that okay, we've got to at
7 least identify what the issues are, and then hopefully
8 come to a solution of how we, you know, ultimately
9 address it.
10 CHAIRMAN METCALF: Are there -- I've got, I
11 think, maybe I can wrap this up, but I would like to
12 throw it back down to the south if there's any Board
13 comments. Anybody down there? Member Stewart?
14 VICE-CHAIRMAN STEWART: Yes. Sean Stewart,
15 for the record. I'm not sure if this is more appropriate
16 in the Board comment on the next item, but I'll just
17 bring it up.
18 The agency and the NCA are running a bill
19 this legislative cycle, infrastructure bill designed --
20 the general concept is to try to get a one-shot funding
21 for infrastructure that would be administered by the
22 State Public Works Committee or the State Public Works
23 Office. We've had preliminary talks. It's going to be
24 held -- it's going to be run by the Senate. So I don't
25 know where it's going to go.

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1 There's obviously a huge shortfall in the
2 budget, but it's going to give us a platform, I think, to
3 bring these issues to light with the Legislature. So I'm
4 in full support of getting what detail we can get
5 together because there's obviously going to be hearings
6 through this bill where we can educate the Legislature,
7 if nothing else, on the shortage we have in this funding.
8 So just bringing that to light to the Board.
9 COUNSEL STEWART: I would just like to chime
10 in real quick. For the record, Susan Stewart. One of
11 the things I included in your packet of information is
12 the Florida statutes. And one of the things included in
13 their legislation is the Legislature's findings and
14 intent. And if you read that -- and this is in
15 connection with the P3 legislation that Florida recently
16 put into place, it says, "The Legislature finds that
17 there is a public need for construction or upgrade of
18 facilities that are used predominately for public
19 purposes."
20 And then, you know, they go on to say,
21 "There's a public need for timely and cost-effective
22 acquisition, design, construction," etcetera, etcetera,
23 and then it says, "There are inadequate resources to
24 develop new educational facilities, transportation,"
25 etcetera, etcetera, "and a public private partnership has

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1 demonstrated that it can meet the needs by improving the
2 schedule for delivery, knowing costs and providing other
3 benefits for the public."
4 So it seems to me that other states have
5 faced the exact issue that we're facing. So, you know,
6 maybe we don't need to completely reinvent the wheel, but
7 can look and see what other states are doing, you know,
8 by further drilling down as far as, you know, exactly
9 what they've done. Because it seems to me that they've,
10 you know, that this is an indication they're finding that
11 they face the exact same, you know, issues that we are.
12 CHAIRMAN METCALF: And, Ms. Stewart, there's
13 how do I say this. We've got the beginning part, not
14 beginning part, but where we kind of decided to start
15 this process. NSHE said we have a billion and a half
16 deferred maintenance. And you have this statement here
17 on this page that Florida, actually the Legislature put
18 this in their record; correct?
19 COUNSEL STEWART: Yes, this is part of their
20 statute.
21 CHAIRMAN METCALF: So to get from where we
22 were from August when the guy from NSHE said we're a
23 billion and a half behind in deferred maintenance to get
24 to something like this, we have to have concrete evidence
25 and concrete findings to give to the Legislature.

1 And again, before I finish this up, is there
2 any more comments down south?
3 MEMBER TIBERTI: Tito Tiberti, for the
4 record. I have a -- and I mentioned this before, so I'm
5 being redundant, but in my experience in our own private
6 developments, there's two things that strike me, is one
7 we were developing a hotel-casino, and it was a six
8 million dollar sign. I think I mentioned this before,
9 and I was telling my partner, you know, "The sign is
10 going to be 6 million dollars." He said, "Yeah, but
11 we're leasing that." I said, "Well, okay. However,
12 we're paying rent to the leasing guy, or we're increasing
13 our loan amount, and we're paying a little more principal
14 and interest on the loan." So to me, I was trying to put
15 down all things that were going to cost us money. And he
16 kept arguing with me, "Well, we're leasing." And I said,
17 "Well, we can lease it, or we can just increase our loan
18 by six million dollars."
19 And I was working on a project down here that
20 was a combination of city and county, and Guy Hoff, he's
21 an analyst, as you know, and he said, "I don't know how
22 you can make this work because government interest rates
23 trump any gains you could bring to the party." Our rates
24 are going to trump your gains because we can borrow the
25 money at three percent, and you're going to pay seven

1 percent or something. And he did a big study for me. It
2 is hard, in my opinion, to trump government borrowing
3 rates by all of this other stuff.
4 So I just wanted to introduce it that it's
5 kind of like I'm not seeing a free lunch out here by
6 trying to do public private partnership or whatever all
7 that means. I just wanted to sober up a little bit of
8 this. To me, it's more difficult than it might seem,
9 really. We're out of money. I guess that's what I'm
10 saying, and there's no panacea that I can see that's
11 going to be easy. I don't want to throw a wet blanket on
12 everything. I'm just trying to be realistic. So that's
13 all I have.
14 CHAIRMAN METCALF: And, Member Tiberti, I
15 hear you. But, I mean, just recently, I met a gentleman
16 that is in the P3 arena, and he uses tax-free bonds. And
17 this gentleman said, "Oh, yeah. We helped fund a P3
18 partnership that owns the airport in the country of
19 Sweden," you know, and it was tax-free bonds out of
20 London. So, you know, there are some different ways than
21 just conventional financing out of the bank. But still,
22 you're right. There's, you know, somebody is going to
23 make a profit somewhere.
24 Is there any other comments down south before
25 we try to wrap this up? What I'd like to see if everyone

1 agrees with is we have -- We've been told that there's a
2 lot of deferred maintenance out there, and we don't know
3 what the number is. Is it a billion and a half? Is it
4 three billion? Whatever it is.
5 We've got some nice reports here of how many
6 buildings, how many square feet. Gus has offered that
7 maybe we can start quantifying this. And I'm not going
8 to put a timeline on anything, but maybe we come up with
9 a matrix on these 2,800 buildings that we go back to the
10 agencies.
11 And I just wrote some quick notes, and this
12 can be anything, but hey, give us your deferred
13 maintenance on your site, your structure, your envelope,
14 your finishes and equipment, meaning like kitchen
15 equipment or things like that, and your systems, which
16 would be MEP, things like that, and just kind of give a
17 matrix and because then you can kind of quantify it too,
18 again, by these items. And again, what is deferred,
19 quantify it, and then slip it into a timeline into our
20 biennium, our CIP biennium. Show that we've got 8 and a
21 half percent increase in pricing in the north next year
22 and ten percent in 2016, and that really hurts us even
23 more. But if we can start coming back to something like
24 that, then maybe we can get down to what Florida did
25 someday.

1 And the last thing I would say is would we be
2 able to do something concrete enough to make a report to
3 some entity at the Legislature during this next
4 legislative session. Is that our goal? That's a
5 question. Is that our goal? Mr. Chimits?
6 DEPUTY ADMINISTRATOR CHIMITS: Thank you,
7 Chairman. Chris Chimits, for the record. That
8 feasibility study that we're just contracting with right
9 now, I think will be largely complete by the middle of
10 February. And at that time, it seems like we would be in
11 a position to advise you of what is probably most
12 interesting here, is we've kind of started to define the
13 size of the problem here, but I think people are looking
14 for solutions. And so that report would come back with
15 some analysis of whether it's better to lease or own on
16 these things, considering and reducing it all to apples
17 to apples.
18 CHAIRMAN METCALF: But, Chris, will it define
19 that we have three billion dollars in deferred
20 maintenance?
21 DEPUTY ADMINISTRATOR CHIMITS: No, no.
22 CHAIRMAN METCALF: I think that's something
23 that's out there, that 800-pound gorilla.
24 DEPUTY ADMINISTRATOR CHIMITS: Right.
25 CHAIRMAN METCALF: And Ms. Teska and I were

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1 talking, you know, kind of whispering during one of the
2 last meetings, and she said she wants to hear it.
3 DEPUTY ADMINISTRATOR CHIMITS: Right. We
4 need to define the terms first because I heard that I
5 think it was Ron Zurich that said they had a \$1.5 billion
6 worth in deferred maintenance. I don't know what that
7 means. I really don't know what he meant by that.
8 CHAIRMAN METCALF: Well, can we find out?
9 DEPUTY ADMINISTRATOR CHIMITS: We can find
10 out. And also, we have our own staff here who can help
11 us to define what level, like priority one, priority two,
12 and priority three levels of maintenance that we have in
13 our statewide owned buildings and quantify that for you
14 fairly quickly, I think.
15 CHAIRMAN METCALF: Including NSHE?
16 DEPUTY ADMINISTRATOR CHIMITS: No. No, NSHE
17 has their own facilities maintenance program that we
18 could probably get from them.
19 CHAIRMAN METCALF: I mean, if Ron said \$1.5
20 billion, where did he get it from?
21 DEPUTY ADMINISTRATOR CHIMITS: He probably
22 got it from their facilities maintenance program.
23 ADMINISTRATOR NUNEZ: Which is over ten
24 years, typically over ten years. The problem with those
25 reports over ten years is that those projects that

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1 they're 7, 8, ten years, things get a little fuzzy way
2 out there. But it sort of gives you a sort of like level
3 of magnitude idea as to what's going to be, you know,
4 more or less.
5 MEMBER WALKER: Next layer of building.
6 CHAIRMAN METCALF: Well, it just makes sense
7 with our last economic downturn that deferred maintenance
8 is going to pile on top of each other. Now, as we try to
9 claw out of the bad economy and hopefully get into a
10 better economy, we've got all of this quote, "Piled up
11 deferred maintenance." Let's quantify it because we
12 can't have a Legislature out there thinking we're going
13 to get some sexy new buildings for the constituents or
14 for the State or whatever, and we're sitting here with a
15 pile of deferred maintenance that nobody knows about. So
16 do we need any kind of an action on this agenda item
17 or --
18 ADMINISTRATOR NUNEZ: Can I give a shot at --
19 CHAIRMAN METCALF: -- something?
20 COUNSEL STEWART: No, we don't need it. No,
21 we don't need a vote or anything.
22 ADMINISTRATOR NUNEZ: Just from what I hear
23 and --
24 COUNSEL STEWART: You want to summarize, Gus?
25 ADMINISTRATOR NUNEZ: Yeah. I heard from the

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1 Board that there are issues with what I would call
2 scheduled maintenance or preventative maintenance. I
3 wanted to delve into that a little bit and perhaps bring
4 some recommendations over to you in that area to try to,
5 as Roy mentioned, some type of a policy, I think that
6 which goes along with funding.
7 That may be probably more along the ways of a
8 process to get there because it's going to be very
9 difficult to quantify here in the next couple of months,
10 but at least we can make a recommendation as to what
11 should be done with respect to your scheduled routine
12 preventative maintenance program throughout the state.
13 That's one thing. We can feed off of what we're doing
14 with B&G. If that sounds reasonable to you all, perhaps
15 we can make some recommendations along what B&G is doing
16 currently in that process.
17 We're looking at also about getting a handle
18 on deferred maintenance and for all of the facilities in
19 the state, and to perhaps try to define what exact -- a
20 better definition of what deferred maintenance is that
21 belongs in the CIP that the Board wants to look at and
22 what that level of funding should be.
23 In addition to that, you know, I've heard
24 about like P3 and like, you know, P3 is just going to be
25 hopefully, or which we can't do right now. That's

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1 something that we can look at for something that we could
2 recommend to the Governor and the Legislature to maybe
3 look at in the future as another tool in our tool belt to
4 fund facilities when we're looking at owned versus
5 leased.
6 Certainly, in looking at this map that was
7 provided as to certainly the trend in the country seems
8 to be going to having P3 as a tool belt, as one of the
9 tools in the State's tool belt to get projects done in a
10 cost-effective manner. That's not to say that there are
11 not other methods out there depending on what the project
12 is that is more cost effective than a P3, but obviously,
13 having more tools in your tool belt that you can use and
14 utilize, the better decisions, the better analysis you
15 can do, and the better decisions you can make to what is
16 the best course depending as to what you're trying to
17 achieve for a particular project or do a particular
18 project.
19 So we can -- and we'll tie that into the
20 feasibility and analysis report that this consultant firm
21 is going to be doing for us, but only in the areas --
22 we've narrowed that down to only in areas where we
23 currently have authority to do within the current laws,
24 not -- P3 is not something that we currently have in our
25 tool belt, you know. It's not a tool for us that we can

1 use.
2 So I see those three areas that we can kind
3 of start by using the information that we brought forth
4 to you that we currently have, start bringing and what
5 we're doing with respect to B&G and where we're at with
6 respect to facilities, the information from facilities
7 group here at Public Works, and the recent request versus
8 level of funding that we've had, and start putting this
9 together and try to start making some sense so that we
10 can -- actually the Board can look at making some
11 recommendations to the Governor and the Legislature to
12 move forward with respect to the future for you all to
13 consider.

14 But I think perhaps at the next meeting, we
15 can start bringing some information and suggestions to
16 you in those three areas, and you all can debate and
17 decide what you want to move forward with respect to
18 making any reports or recommendations to the Governor
19 and/or the Legislature.

20 CHAIRMAN METCALF: Are there -- I think that
21 might have just been number five.

22 COUNSEL STEWART: I just have a quick
23 question. Gus, did you, in your summary, did you mean to
24 include trying to identify deferred maintenance, the
25 existing obligation as we know it based upon what was

1 submitted for the CIP and what we had to prioritize?
2 ADMINISTRATOR NUNEZ: Exactly. And we've
3 brought a lot of that information forward that we've
4 discussed in prior meetings. It's just a matter of now
5 putting it all together, analyzing it, and doing some
6 projections and saying okay, and bringing some suggested
7 recommendations back to you that you can massage and do
8 whatever you want with it.

9 CHAIRMAN METCALF: And, Gus, what I'd like to
10 see is almost like a PowerPoint or a bullet point
11 presentation that we can carry with us. And if we have
12 to go to somebody, the Legislature, the Governor,
13 whoever, that we can say here it is in a PowerPoint kind
14 of view, and yes, by the way, we have the backup. This
15 isn't something we just threw out there. Because again,
16 if we don't get to something like the Florida
17 Legislature, what Ms. Stewart just gave us, then we're
18 just sitting here looking pretty.

19 ADMINISTRATOR NUNEZ: We certainly will start
20 moving forward in that direction.

21 CHAIRMAN METCALF: Are there any -- I think
22 that covered number five since we don't need any action
23 items. And before I go to public comment, I would like
24 the Board to have one more chance to say anything, and
25 I'd like to shoot it down to the south, and you guys pick

1 who goes first and who goes last. Are we good?

2 MEMBER TIBERTI: We're good.

3 CHAIRMAN METCALF: Member Walker, are we
4 good?

5 MEMBER WALKER: I will be silent.

6 ADMINISTRATOR NUNEZ: For now.

7 CHAIRMAN METCALF: And I hope I speak for
8 everybody. I think this was a really good meeting to
9 start things out with. I want to really thank the staff
10 for presenting what they did present to us because this
11 starts telling us kind of what we're dealing with. This
12 starts quantifying it. So is there any public comment at
13 this time? Anybody?

14 MR. DAVIS: Just a comment.

15 CHAIRMAN METCALF: Mr. Davis?

16 MR. DAVIS: Sorry. Mark Davis, State Parks.
17 Just a comment as it relates to the use of the internal
18 documentation Public Works has. If you're talking about
19 using the FCA, which is what I assume you would be using,
20 Facility Condition Analysis, those are not necessarily
21 all-inclusive. There may be other things are not
22 included in that.

23 And I would suggest, you know, we would be
24 willing to provide the inclusive list that would expand
25 on it a little bit. That would help you get a greater

1 understanding of the final analysis of what that really
2 means. All we would need to know is what format you'd
3 like it in.

4 CHAIRMAN METCALF: Mark, I think that's a
5 great comment. I think what we need to do is just say,
6 hey. Here's what you we're doing, guys. If you've got
7 something in the weeds, bring it out. This is the time
8 to bring it to the light of day.

9 Member Walker?

10 MEMBER WALKER: I thought Gus addressed that
11 comment with the agent -- I had four or five things I
12 wanted to put in agenda five, and I think that was
13 exactly one of them, from the agency's perspective of
14 where are the divisions of this deferred maintenance that
15 the Chairman discovered or broke that, the divisions out
16 and sent them to each agency to have them from agency
17 level bring to us, so that would be Ward recapping all of
18 that. That's absolutely mandatory.

19 ADMINISTRATOR NUNEZ: And, Mark, we will look
20 at not only what's in the FCA report, but what was
21 requested out of the CIP that was not funded or not
22 proposed to be funded.

23 MR. DAVIS: So there was an awful lot that
24 was not requested in the CIP.

25 ADMINISTRATOR NUNEZ: And we understand that.

1 MR. DAVIS: So that's my point is that I
2 think that we could, you know, at least bring more to
3 light what wasn't even requested and knowing that there
4 was obviously a limitation.

5 CHAIRMAN METCALF: And, Mark, what that I
6 think is the Board -- When Ron said \$1.5 billion, that's
7 kind of when the lights all started sparking and we all
8 started talking, you know, because we've all been kind of
9 playing defense the last six years. So now it's time to
10 play offense again, and we've just got to learn to play
11 it better this time.

12 Okay. Is there any further? I'd like to get
13 a Motion for Adjournment. Member Walker moves. I'm
14 looking for a second.

15 MEMBER CLUTTS: Second. Bryce Clutts.

16 CHAIRMAN METCALF: Member Clutts seconds.
17 All in favor, signify by saying aye.

18 THE BOARD: Aye.

19 CHAIRMAN METCALF: Motion carries. We're
20 adjourned.

21 (The meeting concluded at 10:40 a.m.)

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1 STATE OF NEVADA,)

2)

3 CARSON CITY.)

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7 I, NICOLE ALEXANDER, Official Court Reporter for the
8 State of Nevada, State Public Works Division, do hereby
9 Certify:

10 That on the 18th day of December, 2014, I was
11 present at said meeting for the purpose of reporting in
12 verbatim stenotype notes the within-entitled public
13 meeting;

14 That the foregoing transcript, consisting of pages 1
15 through 61, inclusive, includes a full, true and correct
16 transcription of my stenotype notes of said public
17 meeting.

18
19 Dated at Carson City, Nevada, this 22nd day of
20 December, 2014.

21

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23

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25

NICOLE ALEXANDER, NV CCR #446

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