

South Arkansas Community College

P.O. Box 7010 El Dorado AR 71731 1-800-955-2289

ESTABLISHED 1992



August 2, 2018

Senator Scott Flippo
Representative Jeff Wardlaw
Arkansas Legislative Council
State Capitol
Little Rock, Arkansas 72201

Re: Historic Site Law Contract Review

South Arkansas Community College is requesting approval to enter into a contract pursuant to ACA 22-9-208 (attached) for the restoration of the 1905 Administration Building. I would like to request the addition of this review on the August agenda of the Arkansas Legislative Council. The following is a summary of the information related to this contract and the parties involved:

- 1) *Owner:* South Arkansas Community College
- 2) *Project Name:* Restoration of 1905 Administration Building
- 3) *Project Location:* South Arkansas Community College - West Campus
- 4) *Project Estimated Cost:* \$6,300,000
- 5) *Design Professional:* Taylor/Kempkes Architects, PA (pending Legislative review)
- 6) *Contract Delivery Method:* Historic Site Law
- 7) *General Contract Award Based On:* Request for Proposal (RFP) pursuant to ACA 22-9-210. The College will select the General Contractor based on their proposal (experience with similar historical projects, past performance, and similar matters to determine best qualified).

South Arkansas Community College's Administration Building was built in 1905 and was placed on the National Register of Historic Places in 1978. On Friday, April 13, 2018, lightning struck the building causing a fire. The fire was contained in the attic by local fire departments. However, during the 19 hours local responders fought the fire, the building sustained substantial water damage. The facility contained two classrooms and numerous offices. Twenty-two faculty and staff were displaced from their offices. They are now housed in five different facilities on the west campus.

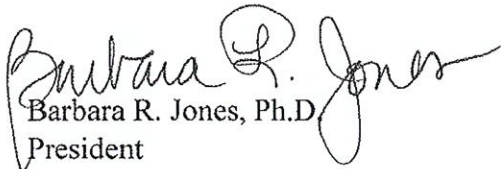
In coordination with the State insurance agency, Metro Disaster Specialists performed emergency removal and demolition of the building contents and inner walls. Metro was also tasked with constructing a roof and mold mitigation to prepare the facility for reconstruction.

Insurance proceeds will be used to finance this reconstruction project.

Per Arkansas Code 22-9-208, "projects undertaken by public institutions of higher education exempt from review and approval of the division (Division of Building Authority) shall not require review and approval by the Director of the Department of Finance." We sought the advice of the Division of Building Authority personnel and our attorney with the Arkansas Attorney General's office prior to seeking this request. We have also received approval of our Board of Trustees to pursue this contract method.

The Administration Building has been an educational resource for El Dorado and Union County since opening its doors in 1905, to include serving as a high school, junior college, and junior high school. The college began using the building in 1976 as Southern State College – El Dorado Branch. The facility continued to be a central hub for students, faculty and administration when the college opened in 1992 as South Arkansas Community College. The building is an iconic presence for many residents and alumni, past and present. Our primary reason for using this code to pursue our contractor is to ensure we select a contractor not only based on the bid price, but also the contractor's experience in similar historical work, sub-contractor and craftsmen experience, and the techniques they propose to employ as prescribed in the code. We want to restore the beautiful and historic facility as soon as possible such that administrative operations and services to students may be restored and so the historic facility may be enjoyed by our students, staff, and community.

We thank you for your thoughtful consideration of our request.


Barbara R. Jones, Ph.D.
President

Attachment

cc: Representative Matthew Shepherd
Kathy Schmidt, Bureau of Legislative Research

2017 Arkansas Code

Title 22 - Public Property

Chapter 9 - Public Works

Subchapter 2 - Award of Contracts

§ 22-9-208. Renovation of historic sites -- Legislative intent and construction

Universal Citation: AR Code § 22-9-208 (2017)

- (a) The General Assembly finds and determines that:
 - (1) The mandatory adherence to competitive bidding of all costs in altering, repairing, or renovating historic sites and structures has resulted in increased costs due to the inability of bidders to accurately determine on the basis of only an external examination of the historic sites and structures the exact quantity of labor, materials, and supplies necessary to meet the restoration standards;
 - (2) The State of Arkansas would conserve state revenues by giving agencies charged with restoring or maintaining historic properties authority to select the contractors on the basis of the lowest responsible bid price, the bidder's experience in like work, and the techniques he or she proposes to employ, and by giving the agencies authority to reimburse contractors on an actual cost basis for those cost components which cannot be accurately predetermined before undertaking the project; and
 - (3) The procedures provided in subdivision (a)(2) of this section should be applicable for specific projects only after review and approval by the Chief Fiscal Officer of the State, the Building Authority Division of the Department of Finance and Administration, and the Legislative Council. Provided, however, projects undertaken by public institutions of higher education exempt from review and approval of the division shall not require review and approval by the Director of the Department of Finance and Administration.
- (b) In the event there is conflict between the provisions of this section and §§ 22-9-209 -- 22-9-211 and the provisions of any other act insofar as the restoration of historic structures is concerned, the procedures set forth in this section and §§ 22-9-209 -- 22-9-211 shall govern.