

Contact: John Nash

**UNIVERSITY OF IOWA REQUEST FOR
EMERGENCY CONTRACTING AUTHORIZATION**

Action Requested: Consider recommending to the Board ratification of the Executive Director's actions related to the utilization of capital project delivery processes as described in this memorandum to install temporary boilers in parking lot 11 to meet the University's steam generation needs for the upcoming heating season.

Executive Summary: While carrying out the **Power Plant – Air Regulation Compliance** project, approved by the Board in April 2015, unforeseen conditions were encountered which have delayed the project and caused its completion to be in the heating season. In addition, there was a tube rupture in Boiler #11; while this rupture has been repaired, there are concerns that the rupture has caused additional damage to other tubes and boiler parts which have not yet been seen.

To alleviate these issues and minimize the potential for negative effects to the University's utility operations, the University would install temporary boilers in parking lot 11. The Board Office was informed of the situation on November 4, 2016.

Due to the University's concern, Executive Director Donley, on November 7, 2016, made a finding of the need to institute emergency procedures under Iowa Code subsection 262.34.2 to issue contract documents, receive a bid, award a sole source contract to American Piping Group, Incorporated to install temporary boilers (see Attachment A). American Piping Group, Incorporated is available to do the work in the time required and has successfully performed several steam projects on the campus.

The Committee is asked to recommend to the Board ratification of the Executive Director's actions.

Background: In 2009, the following subsection (subsection 2) was added to Iowa Code 262.34.

"Notwithstanding subsection 1 [competitive bidding requirements], when a delay in undertaking a repair, restoration, or reconstruction of a public improvement might cause serious loss or injury at an institution under the control of the state board of regents, the executive director of the board, or the board, shall make a finding of the need to institute emergency procedures under this subsection. The board by separate action shall approve the emergency procedures to be employed."

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Robert Donley, Executive Director

To: Sadie Greiner, Director
Design and Construction
University of Iowa

From: Robert Donley 

Subject: Request for Approval of Emergency Contracting Procedures: Steam Utility
Enterprise System – Install Temporary Boilers in Lot 11

Date: November 7, 2016

In response to your email of November 4, 2016, and prior discussions between you and Joan Racki, I am making a finding of the need to institute emergency procedures under *Iowa Code* subsection 262.34.2 to install temporary boilers in lot 11 to meet the University's steam generation needs for the upcoming heating season. It is understood that the University plans to issue bid documents, receive a bid and sole source the contract award to American Piping Group, Inc., which has completed several steam related projects on campus and is available to complete the necessary work in the time required. The Board will asked to ratify these actions at its December 2016 meeting. ↓
bc

cc: David Kieft
Rod Lehnartz

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