

- f) A test area was re-stained after acid washing. It appears that this allowed the stain to penetrate the surface and stain into the concrete. This test area will be cleaned and the sealer will be applied as a sample for everyone's approval.
- g) Stewart Painting has stated that they did everything correctly, in accordance with the specifications and manufactures instructions. The manufactures states that "you get what you get" and there is no warranty. Stewart Painting wants to be paid for the stripping, acid washing, re-staining, and sealer, for a total of \$37,642. (See attached comments from Matt Graves with AIP)
- h) Attached is a list from SE that identifies the areas needing work.

Matt Graves comments:

I think the cost to fix the stained concrete flooring is tough for a contractor like Stewart Painting to absorb but unfortunately the burden falls on them to prove that the installation was according to manufacturer's instructions or prove that the material was defective. I think the idea that the concrete was the cause is not sound because of the number of separate concrete placements that were made. We had somewhere around 6-8 different placements over an 8 month period, it would be incredibly difficult to produce the same finished product on every slab. Epmar, the manufacturer of the concrete stain, had no recommendation for tests that could be taken to find the cause and offers no warranty for the product unless they find that the particular batch was defective. Epmar did offer to make a recommendation and to sell new product at a deep discount to the installer but other than that they seem to be pretty well insulated from our problem. I feel for Stewart Painting because they took this job with the idea that they would provide a good finished product and hopefully make a small profit but instead ended up being responsible for an extremely expensive problem that wouldn't be known until the end of the job.

CMS Willowbrook is the responsible party and will address cost of repair with the subcontractors.

- a) We are trying to determine if there was any defective material or workmanship. We are trying to find out why the stain did not penetrate into the concrete.
- b) SOSU has stated they do not want to cover the concrete with VCT and want the stained concrete with sealer as specified.
- c) If the stain sample area is acceptable, then we will do a large area to insure the acid etching and stain is working. Remember the specification and manufacture states to not acid wash the concrete.
- d) With the approval of the DCFA, we would then continue with the agreed process.
- e) Clean areas affected by this work.

Areas to be stained:

Level One

- East and West entries
- East Ticket booth
- Walking Track
- *Concession Area
- Fire Escape-- East and West
- Seating areas (stain and finish only)

Lower Level

- Entire walking area on lower level
- *East and West--Home and Visitors locker rooms
- *Two official locker rooms (west side)
- *Entry into both office suites on south end and restroom
- *Training Room (rubber floor preferred if still an option)

***These areas have not been ground.**

Motion made by Trustee Story and seconded by Trustee Webster to approve the recommendation by CMS Willowbrook and AIP. Motion carried with the following vote:

Aye: Polson, Story, Walkup, Webster, Tomlinson

Nay: None Abstain: None

- 3. Consideration and approval on recommendation by CMSWillowbrook and AIP on improvements to the HVAC system
PSA is the engineer on record for the arena in the design of the HVAC System. The university required the arena to be served by its Central Utilities Plant (CUP). It is AIP/PSA responsibility to design the HVAC System to meet this requirement along with controlling the humidity and temperature within the facility. At the Friday meeting the following was discussed:
 - a. The building envelope was not completely sealed which had an impact on the level of humidity and temperature. Since then CMS has responded that the building has been checked and repairs made. This needs to be verified by AIP.

- b. There was equipment not included in the original design that was needed to control the humidity and temperature by the CUP. PSA has communicated by e-mail their recommendation. AIP/PSA has been instructed to provide an official document with cost estimates.
- c. The Test and Balance Report did not include specifics that identified settings for controlling the buildings humidity and temperature. Siemens Building Technologies has verbally received this information and requested that the report be revised to include this information. The revised report needs to be submitted to Siemens Building Technologies.

On Monday June 8, 2009 we communicated to the HVAC building controls manager (Siemens Building Technologies) the following recommendations to refine building temperature and humidity control.

- a) Since no building occupancy schedule has been provided to control (turn on/turn off) the amount of ventilation (or outside) air provided to the building, we recommended that the ventilation function be changed to a automated system by the use of a carbon dioxide detector. When carbon dioxide within the building reaches a pre-determined level, outside air dampers will open and fresh air will be conditioned and provided to the building as required.
- b) We recommended that supply variable air volume be controlled by Arena space temperature rather than by duct static pressure to provide better temperature control within the Arena.
- c) We recommended a dehumidification sequence using existing air conditioning equipment and the addition of an Arena Floor humidistat. We believe this sequence will not be required when building HVAC equipment is operated as recommended. Note, dehumidification cycles can significantly increase building operating cost and are not typical of Arena buildings of this type.
- d) We recommended control of the two Conference Room fan coil units be provided by a single thermostat rather than two.
- e) We recommended that temperature control of the basement Training Area be provided by an override thermostat. Note, during “value engineering”, prior to building construction, the basement area was requested to be served by a single unit to save on installation cost. Although the temperature conflict possibilities were acknowledged, no specific action was requested at that time.

This correspondence summarizes efforts to further control temperature and humidity within the building. The building manager has indicated that they will provide a cost estimate for the work recommended above (if any). We will continue to monitor conditions until acceptable conditions are verified.

Trustee Walkup stated that SOSU will provide the up-front funding and come back to DCFA for working through the final funding.

Motion made by Trustee Walkup and seconded by Trustee Polson to approve the recommendation by CMS Willowbrook and AIP. Motion carried with the following vote:

Aye: Polson, Story, Walkup, Webster, Tomlinson

Nay: None Abstain: None.

4. Update on Punch List Items, lettering, ADA seating and rails

CMS/AIP Punch List Items. No official written report was provided.

- a) Punch List needs to be verified by CMS/AIP/SE that all items have been corrected.
- b) Lettering: The original plans listed 12” lettering. It was communicated by the university prior to ordering the lettering that the size needed to match Paul Laird Field (24”). The difference in the cost of size to be funded by the university. This was not done. Due to the space and the quantity of letters, there was concern that 24” would not allow the space between the letters and look right. CMS is to provide one 20” letter so that a visual comparison on site can be made.
- c) ADA seating. CMS has received information that the seating has been delivered. Neither CMS nor SE can confirm this. CMS is following up,
- d) Rails: Two areas of discussion: (a) East side ADA seating – the extension of an existing rail is not needed – no action. (b) West side ADA seating– the rail was never installed (not included in design) and needs to be installed.

UPDATE ON NETWORK WIRING: PATCO started on June 8th and is scheduled to be completed by June 19th. The university will have Mel Booth (3rd party inspector) return once project is completed to do a final inspection. The inspection will be funded by the university.

ADJOURNMENT – 6:35 p.m.

Motion made by Trustee Webster and seconded by Trustee Story to adjourn. Motion carried with the following vote:

Aye: Polson, Story, Walkup, Webster, Tomlinson

Nay: None Abstain: None