

**STATE OF NEBRASKA**  
Department of Administrative Services (DAS)

**309 Task Force for Building Renewal  
Policies & Procedures**

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**Jeffrey L. Jensen, Administrator**

**521 South 14<sup>th</sup> Street, Suite 509  
Lincoln, NE 68508-2707  
(402) 471-3515**

**[www.das.state.ne.us/309](http://www.das.state.ne.us/309)**

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## SECTION 1: PURPOSE OF THE 309 TASK FORCE FOR BUILDING RENEWAL

**1.1 Purpose.** In 1976 a committee was formed to conduct a Special Legislative Study concerning the maintenance of state buildings. This committee toured the state and found that the condition of many buildings had been neglected, and that numerous repairs, improvements, and upgrades were required. Based on the committee's findings, legislation was proposed and passed in 1977 creating the *Task Force for Building Renewal*. The legislative bill was LB309 – the “Deferred Building Renewal Act.” The new division came to be known as the “LB309 Task Force for Building Renewal,” or simply, the “309 Task Force.” The purpose of the division is spelled out in state statute 81-173, and it consists in funding and overseeing four (4) general types of projects: a) deferred repair, b) fire/life safety, c) Americans with Disabilities Act upgrades, and d) energy conservation.

Each biennium, the Governor and Legislature review the overall level of state agency requests for 309 Task Force project funding. The Governor recommends amounts to be appropriated for the Task Force to address highest priority statewide needs. Subject to the Governor's line item veto authority, the Legislature establishes biennial appropriations for the Task Force. Under this appropriations authority, the Task Force then allocates amounts to various state agencies for specific projects subject to the Governor's approval. The Task Force oversees the successful execution of the projects, and all payments to consultants and contractors.

Over the years, the goal of the 309 Task Force has remained basically the same: to address the state's sizable need for deferred building repairs and improvements to the extent possible with available funding, utilizing those funds wisely and efficiently. The information that follows is intended to guide agencies in our common effort to realize this goal.

## SECTION 2: 309 TASK FORCE FUNDING SOURCES

**2.1 Funding Sources.** Currently, there are three (3) general types of revenue, or funding, which make up the total of funds appropriated to the 309 Task Force. They are: a) cigarette tax, b) “LB530” rent surcharge assessments, and c) “LB1100” depreciation assessments. A fourth type of funding consists in the cooperative, or “match,” funds contributed by the agencies for the specific projects. However, cooperative funds are not transferred to Task Force accounts; agencies simply pay from their own accounts portions of the payments on given projects.

- 2.2 Cigarette Tax Funds.** Cigarette tax funds can be expended on any agency project, but it is the general policy of the Task Force NOT to allocate such funds for buildings that are eligible for, and paying into, the LB530 rent surcharge fund.
- 2.3 LB530 (Rent) Assessment Funds.** These funds are generated through assessments on rent paid to DAS for various facilities. It is the policy of the Task Force that only facilities paying the rent surcharges are eligible to receive allocations of these funds. The rent surcharge funds are dedicated funds for specific buildings that should NOT also receive cigarette tax funds.
- 2.4 LB1100 (Depreciation) Assessment Funds.** These funds are generated through assessments paid by agencies on new, major capital projects approved in 1998 or later. The funds are assessed and allocated to eligible facilities as per the specific requirements of state statutes 81-188.01 through 81-188.06. (Note that some higher education facilities may be eligible for both LB1100 funds and cigarette tax funds.) It is important to note that renovation projects ARE acceptable uses of LB1100 assessments, but ONLY FOR University and State College LB1100 assessment projects, as per 81-188.03(1) and 81-188.05(1). In this case only, renovation is defined from 81-188.03 as: *“renovation work means work to replace the interior or exterior systems of an existing building to accommodate changes in use of building space or changes in programmatic need for building space.”* PLEASE SEE PARAGRAPHS 4.5 - 4.7 FOR LB1100 ASSESSMENT FUND REQUESTS SPECIAL PROVISIONS.
- 2.5 Cooperative (Match) Funds.** Portions of 309 Task Force projects are paid by the agencies themselves through cooperative or “match” funds, based on a specific, agreed upon percentage for each project. The remaining paragraphs of Section 2 describe the 309 policy with regard to these cooperative funding percentages.
- 2.6 General Match Funding Rate.** The general match fund rate for agencies on 309 Task Force projects is 20%; the 309 share is the remaining 80%. (Please see paragraph 7.15 for allowable costs to be paid by the Task Force.) However, matching funds are NOT required on projects funded with LB530 rental surcharge or LB1100 depreciation assessments, since such funds are provided to Task Force accounts by the agencies themselves through the assessments.
- 2.7 Variations to the General Match Rate.** The general match fund rate may be reduced or increased for a specific project based on several factors. For instance, in cases where the agency has paid for or will pay entirely for design (consultant) services on a 309 project, the match rate will be reduced to 10%. The same applies if the agency provides design on a 309 project utilizing in-house staff within the limitations

specified by law. (In this case, “design” means development of bidding plans and specifications.) For some larger-scale utility infrastructure projects, the match rate is typically increased to 50%. The same 50% rate is typically used when a campus or agency desires to proceed with a 309 requested project that is of a lower priority to the Task Force. For “Materials-Only” requests, no matching funds are required, since the agency is providing labor (within limitations specified by law) as its match.

- 2.8 Ability to Vary the Match Rate.** The 309 Task Force reserves the right to vary the match rate due to the needs or special situations of specific projects. In some cases there are agency funds, federal funds, or state capital construction funds available to contribute towards a 309 project, the degree to which does not necessarily fit any of the general percentages mentioned previously. Also, if the need for a 309 project is being driven by special factors such as research or other grants, or by programmatic factors, the match may need to be negotiated to more than the general 20% rate. The same may apply for projects driven by historical requirements or the materials for the project will be overly expensive compared to materials on typical 309 projects. It is in the best interests of the state that the 309 Task Force have the ability to negotiate the best possible match rate in order to stretch limited funding sources and reduce the need for additional taxation.
- 2.9 Match Rate Past Precedents.** The current 309 Task Force policy regarding cooperative or “match” funding does not establish any new or different match rate practices – it merely outlines what has been accepted and agreed to in the past by the various agencies. It is the intention of the Task Force to respect past precedent with regard to match rates. However, this section should not be construed to limit the Task Force ability to negotiate match rates when the situation warrants.

### SECTION 3: ELIGIBILITY GUIDELINES FOR 309 TASK FORCE FUNDS

- 3.1 Property Not Eligible.** Most state buildings and properties are eligible for 309 Task Force funds, with the exception of those mentioned in state statute 81-183: a) buildings held in trust, b) property of the Board of Educational Lands and Funds, c) the Nebraska Department of Roads, and d) revenue bond structures. Property not officially maintained by a state agency is not eligible, as in the case where an agency is renting office space in a building not owned by the state. However, properties where the state is in a long-term lease (50 years or more) requiring the state to maintain the building(s) MAY be eligible.
- 3.2 New Property Eligibility & Change in Existing Building Eligibility.** It is the general policy of the 309 Task Force that a ten (10) year period of ownership must lapse before

a new property, gifted property, acquired property, or existing property changing to state-supported functions, can be eligible for Task Force funds. However, this period can be reduced to five (5) years IF the Task Force reviews appropriate plans, specifications, repair documents, proposed improvements, or an evaluation of potential maintenance requirements of the property is made. Please see Section 9 for specific requirements for new capital construction and renovations, and see Section 10 for property gifts, acquisitions, and cases where 309 eligibility changes due to a building becoming state-supported.

- 3.3 Projects Not Eligible.** As per 81-173(2)(d), the 309 Task Force cannot fund decorative finish, furnishings, and building additions (new construction). The Task Force considers moveable equipment, and equipment NOT directly related to HVAC/ME & utility systems, to be the same as “furnishings.” New construction is prohibited with the exceptions of meeting ADA requirements and enclosures for, or logical extensions of, HVAC/ME & utilities equipment.
- 3.4 Eligibility for Specific Funds.** See 2.2 through 2.4 above for the eligibility policies for the specific fund sources of cigarette tax, LB530, or LB1100 assessment funds.
- 3.5 Employee Residences.** While technically eligible for 309 Task Force funds, agency owned residences used for permanent, full-time employees, will be given a low priority for funding, as per past precedent and practice.
- 3.6 Greenhouses.** While technically eligible, agency greenhouses will not be given consideration for 309 Task Force funding, as per past precedent and practice. However, the head-house structure attached to a greenhouse can be considered for funding if it incorporates traditional construction without overhead glass for the roof.
- 3.7 Revenue Producing Facilities.** As a logical extension of the statutory exclusion of revenue bond structures, and as per past precedent and practice, revenue producing facilities will generally not be considered for 309 Task Force funds. An exception is if the facility is contributing to either the LB530 or LB1100 assessment funds, or if it does not generate sufficient revenue to pay for deferred repair and maintenance projects.
- 3.8 Athletic Facilities.** To the degree that certain higher-education athletic facilities are “revenue producing,” they fall under paragraph 3.7 and will generally not be considered for Task Force funding.
- 3.9 Skylights.** The 309 Task Force discourages the use of skylights in state buildings. Requests to repair existing skylights will be addressed with allocations to either permanently cover the skylight, or remove it and install clerestory (vertical) glass

where feasible. The only exception is if the curb or flashing around the skylight is the source of the problem and can be repaired without affecting the skylight. If a skylight is installed in new construction, it will not be considered for future 309 Task Force funding, as per 9.4.

- 3.10 Roofs Still Under Warranty.** It is the general policy of the 309 Task Force not to consider funding for a roof that is still under warranty. The Task Force expects agencies to do reasonable roof maintenance, and maintenance required by the warranty (including repair of leaks) on every roof. Failure of the agency to perform adequate roof maintenance can be a factor considered in the denial of a request.
- 3.11 Lack of Adequate Maintenance.** Similar to paragraph 3.10 above, the Task Force expects agencies to do reasonable maintenance on equipment and systems. Failure of the agency to perform adequate or proper maintenance of any kind can be a factor considered in the denial of a request.
- 3.12 Buildings Scheduled for Demolition.** It is the policy of the 309 Task Force to avoid investing in buildings that are candidates for demolition. Buildings scheduled to be demolished will not be considered for funding. If a building – or a Task Force funded improvement - is demolished within ten (10) years after completion of the 309 Task Force project, then the Task Force can expect to be reimbursed by the agency for a proportion of the project allocation amount. This proportion is determined by taking the number of years elapsed from completion of the funded Task Force project and subtracting it from ten (10) years, and then dividing the difference by ten (10).
- 3.13 Water Wells & Systems.** It is the policy of the 309 Task Force to not consider requests for water wells and systems that are based on bacteria or “water quality” issues. The Task Force was not created to address the ever increasing groundwater quality issues of the state. However, the Task Force can and will repair or replace well or water system components that are deteriorated or malfunctioning.
- 3.14 Hazardous Materials Requests.** Asbestos, lead paint, mold, and other environmental hazards have become issues after the creation of the 309 Task Force. It is not the intent of the Task Force to deal with environmental hazards through large scale, expensive, stand-alone abatement projects, but rather through addressing the hazards when they become present within the scope or boundaries of an existing 309 Task Force project.
- 3.15 Historic Structures.** Requests for significant upgrades, renovations, restorations, and preservation projects relating to historic structures are for the State Legislature to decide through the capital construction appropriation process. However, the Task Force may take a limited role in assisting with the maintenance of historic properties

by making allocations only for structural stabilization, tuckpointing or masonry repairs, window repairs or replacements, roof repairs or replacements, and mechanical system or plumbing repairs. "Limited" means the Task Force will not pay for expensive materials or methods beyond average or ordinary costs for similar work on non-historic structures using common or modern materials. Also, the Task Force will not participate with interior wall, floor, or ceiling finishes and fixtures, as well as furnishings including window coverings and built-in seats, desks, or other types of permanently attached furnishings. Exterior architectural features or decorative finish that is not integral to the exterior wall and necessary for keeping out the elements or supporting the structure, are also not to be addressed with Task Force funds. For the purposes of this paragraph, "historic structure" or "historic property" is any structure or property deemed historic by a state or federal agency.

- 3.16 Exterior Brick Walls & Planters.** The 309 Task Force discourages use of free standing, exterior brick walls and planters. Requests to repair or replace brick walls or planters will generally not be considered. If it is a safety issue, the Task Force will consider allocating funds for demolition. If exterior brick walls or planters are installed in new construction, they will not be considered in the future for Task Force funding, as per 9.4.
- 3.17 Exterior Insulation Finish Systems (EIFS).** The 309 Task Force does not allow the use of EIFS. Requests to repair or replace EIFS will generally not be considered until all other insurance or legal remedies have been exhausted. If EIFS is installed in new construction, the application will not be considered in the future for Task Force funding, as per 9.4.
- 3.18 Program Related Improvements.** The Task Force will generally not consider requests that are primarily driven by a program-related change in the building. Such changes should be financed by the program, the department/agency, or through capital construction or other funding sources. The only possible exception to this exclusion ~~includes~~ **are** requests for buildings/facilities that contribute to assessment (LB530 or LB1100) funds. In some cases where a request is being necessitated in part by a program-related change, and in part through age or dysfunction of building components, the matching rate may be negotiated to reflect an equitable participation by the Task Force, as per Paragraph 2.8.
- 3.19 Laboratory Hoods and Upgrades.** Traditionally, lab hoods and other upgrades directly related to laboratory use have not been considered for Task Force funding because of their direct relation to a program for research. The only possible exception to this exclusion are requests for buildings/facilities that contribute to assessment (LB530 or LB1100) funds.

- 3.20 Parking Lots, Structures, and Outdoor Lighting.** Traditionally, parking lots, structures, and outdoor lighting have not been considered for Task Force funding due to the revenue-producing nature of most parking areas, and the fact that they house vehicles rather than people and programs, and outdoor lighting is not a building system or envelope issue. However, an exception can be made for assessment (LB530 or LB1100) funds.
- 3.21 HVAC Controls Upgrades.** The 309 Task Force does not normally fund HVAC controls upgrades and electronics with individual allocations. Such upgrades are acceptable, however, when accomplished with a larger HVAC system upgrade or energy conservation allocation.
- 3.22 Computer Hardware & Software.** Computer hardware and software is treated much like controls upgrades in paragraph 3.21. The Task Force will not fund individual requests for hardware or software. The only possible exception is if specific software is required for a campus fire/life safety system that is a high priority of the Fire Marshal.
- 3.23 Masonry & Stone Cleaning.** The 309 Task Force does not do large scale, stand-alone masonry or stone cleaning projects, but will do limited cleaning within the scope of larger tuckpointing and masonry repair projects. Cleaning methods should be reviewed with the Task Force prior to the work. SANDBLASTING should NEVER be used as a method of cleaning masonry or stone.
- 3.24 Training Specific to a 309 Project.** The 309 Task Force expects adequate training for equipment and systems related to a specific 309 project to be provided by the vendor, manufacturers, or contractor – and should be provided within the contract for the project. The Task Force will NOT generally contract separately for such training. For generic training programs sponsored by the Task Force, see Section 11.
- 3.25 Projects Already Underway/Lack of Planning/Value Engineering.** The 309 Task Force will generally NOT consider requests to fund projects already underway, because of the inability to be involved at the outset of design, and because doing so would compromise at least some of the allocation procedure and approval process. Note that this does not apply when the Task Force is involved at the start of design on a project where the agency is entirely funding design, and 309 funds are requested for construction. Also note that under no circumstances can the Task Force reimburse an agency for payments made on completed work, or a completed project. The 309 Task Force should not be used as a substitute for the deficit request process, or to make up for a lack of planning or project management, i.e., when a non-309 capital project

develops cost overruns, or requested items were “value-engineered” out of the project.

**3.26 Size of Project Request.** At times the Task Force may have to declare that the amount of funds being requested for an individual project is too large – or too small - to be reasonably considered, and can suggest the agency pursue capital construction appropriations, or other sources, or agency funds, to accomplish the project. For capital construction projects (or other major projects that do not involve 309 funds), see Section 9.

**3.27 Renovations and Remodeling.** The 309 Task Force does not fund renovation or remodeling work, except for University and State College LB1100 Assessment projects as per Sections 81-188.03(1) and 81-188.05(1). For definition of “renovation” see Paragraph 2.4. Remodeling means updating of interior walls, flooring, ceilings, finishes, and interior doors, where such updating is NOT the direct result of either new mechanical systems or ADA modifications being provided through a Task Force funded project. See also Section 9 for renovation guidelines for capital construction or other non-309 Task Force funded projects.

**3.28 Other Exclusions.** The 309 Task Force chooses to limit consideration of the following types of requests:

- Portable or temporary buildings or structures.
- Built-in Gutters, other than to remove/cover over, or install liner.
- Sidewalks (ADA issues excluded).
- Temporary or portable structures.
- Carpet or other interior finishes.
- Wheelchair lifts.
- Drives or roads.
- Landscaping other than turf torn up by the Task Force funded project.
- Underground storage tanks.

## **SECTION 4: MAKING A REQUEST FOR 309 TASK FORCE FUNDS**

**4.1 Biennial Budget Requests.** The first and primary way of requesting 309 Task Force funds is through the agency biennial budget request submission which coincides with agency Capital Construction Budget Requests (CCBR) every September of even years. The process for requesting 309 Task Force funds through the biennial budget request submission is defined in the *State of Nebraska Budget Instructions* published by the DAS Budget Division in June or July of even years. Please refer to that document on the

Budget Division website ([www.budget.state.ne.us](http://www.budget.state.ne.us)) for specific information on how to submit an agency 309 Task Force biennial request.

**4.2 Biennial Budget Requests General Policy.** It is the general policy of the Task Force that unless a project is requested in the agency biennial budget request submission, it will not be eligible for funds until it is requested in the next biennial request. There are, however, several exceptions: LB1100 Assessment requests are exceptions, because state law requires a separate, yearly request for LB1100 assessments. Emergencies and materials-only requests are also exclusions. In addition, if special situations develop regarding the need of a project which could not have been foreseen at the time of the biennial budget submission, then that project can be eligible for funding. The purpose of the general policy is to encourage agencies to document the true scope of known 309 projects through the biennial request process. Agency biennial 309 budget requests are submitted to the DAS/Budget Division, and those submissions are then forwarded to the Task Force office by the Budget Division.

**4.3 Emergency & New Requests.** In the two years after an agency biennial request submission, it may be necessary to request an emergency or new request to the Task Force office. In general, “new” requests are technically not eligible for funding unless they meet one of the three exceptions mentioned in paragraph 4.2. However, even if not eligible for funding, it is sometimes in the best interest of the agency to formally request a new project to make the 309 Task Force aware of it. Emergency or new requests are submitted directly to the Task Force office using a letter, memo, fax or electronic submission ([www.das.state.ne.us/309](http://www.das.state.ne.us/309)), which includes the following specific information found on the request form in Section 13:

- Agency Name
- Project Location
- Building Number (DAS assigned)
- Building Name
- Narrative Description Explaining Scope
- State if the Request is an Emergency
- If Materials-Only, State & Provide Description
- Will Design be In-House or by Consultant?
- Detailed, Estimated Total Project Cost

**4.4 Process for Storm Damage Emergency Requests.** Building storm-related damage may be eligible for Task Force funding to the degree that the damage is not fully paid for by insurance funds. The process for storm damage emergency requests is for the agency to make a claim to their insurance company (or DAS Risk Management, if applicable) and work with their insurance representatives to get the best possible compensation for the claim. If the insurance compensation falls short of the cost of

actual repairs, then the agency can request that amount from the Task Force (minus the customary matching funds). Under no circumstances will the Task Force be expected to be the replacement for insurance and fund repair or replacement before the insurance compensation is determined. The 309 Task Force will NOT consider paying agency deductibles for facility storm damage. However, such deductibles may count towards the agency cooperative matching funds.

- 4.5 LB1100 Assessment Fund Requests Special Provisions.** As per 81-181, requests for LB1100 funds will be made by each agency by December 15, for the following fiscal year. The LB1100 requests should identify projects, total costs, and explain the scope of the projects, *if not already included on the previous biennial budget request*. The December 15<sup>th</sup> submission should identify the LB1100 project requests already included in the biennial budget request. Also, if a renovation request from the University or State Colleges includes significant programmatic space changes, then the Task Force may request Need Statement or Program Statement information to support the request.
- 4.6 Renovation Requests for LB1100 Assessments & CCPE Review/Approval.** Applicable University and State College remodeling or renovation projects will require Coordinating Commission for Postsecondary Education (CCPE) review and approval per Section 85-1414. Such CCPE review and approval, if applicable, should be completed PRIOR to the renovation request for LB1100 Assessment funds from the Task Force. Please See Section 85-1414 to determine whether a renovation project applies to CCPE review & approval, but understand that a key factor is whether it addresses a programmatic space need. Task Force projects (excepting LB1100 Assessment fund renovations) do not address programmatic space needs, but simply repair or replace building components and systems, and the CCPE does not review or approve such projects or requests.
- 4.7 LB1100 Assessment Funds Allocation Policy.** As per past precedent, the Task Force interprets Sections 81-188.01, 81-188.03 and 81-188.05 to prevent us from making allocations that combine unallocated LB1100 funds from previous years. Also, the Task Force does not currently allocate investment income from LB1100 assessments. These practices help to tie allocations to specific assessments as reported on State Building Division assessment summaries. The Task Force will allocate LB1100 Assessment funds for specific, requested, and defined projects, but will NOT allocate for any other purposes, or transfer LB1100 Assessment funds to agency accounts, unless specifically dictated by revision to state law. Requests for LB1100 Assessment funds should respect the allocation policies contained in this paragraph.

## **SECTION 5: ALLOCATION PRIORITIZATION PROCESS**

- 5.1 Emergencies.** True emergencies, as determined by the 309 Task Force, have the highest priority for allocation of funds. Emergencies typically are when a building component or system fails and no longer functions, when there is a sudden penetration of water through a new failure in the building envelope, or when a code authority has determined a code deficiency with respect to an aspect of the building that is eligible for Task Force funds. If an emergency comes about through the neglect of an agency, or could have been reasonably prevented by the agency, the Task Force may not consider the request.
- 5.2 Campus or Site Priorities.** At times it may be necessary for the Task Force to request a list of highest priority project requests at particular campuses or sites. Doing so recognizes that often it is not possible or reasonable to assume that the Task Force can consider all requests of a campus, due to limited funding. Campus prioritization helps the Task Force and the agency to focus on which project requests deserve attention and subsequent inspection.
- 5.3 Inspections of High Priority Requests.** The 309 Task Force makes inspections of the highest priority requests through scheduled visits to the campuses or sites. It is the intent of the Task Force to visit every site that requested projects in the agency biennial request, at least once in the two year period following the biennial request. For emergency requests, the Task Force will arrange to inspect the project as soon as possible after receiving the request, if it is deemed eligible for funds by the Task Force.
- 5.4 General Inspection & Allocation Policy.** It is the general policy of the 309 Task Force that a project will not receive an allocation of funds until it has been inspected by the Task Force, assuming there are conditions visible that make the inspection worthwhile. In some cases (such as a broken sewer line) the condition is not visible, but there may be other clear evidence of the failure which justifies the project without the need for an inspection. Photos of project conditions can be sent to the Task Force, and this is encouraged. However, sending photos does not necessarily relieve the agency of the general policy on inspecting the request.
- 5.5 Projects Discovered by the Inspections.** In some cases, the Task Force may, while visiting a campus or site, discover a building condition that requires attention and allocation. Although the project was not included in the agency biennial request, or requested in any way, the project can be eligible for allocation simply by being identified as a high priority of the Task Force.
- 5.6 Prioritization by the 309 Task Force.** Based on the inspections, the data and evidence associated with each request, and on the judgment of the Task Force staff, projects will

be identified as statewide “high priorities” for Task Force funds. The designation of “high priority” for certain projects by the Task Force may not necessarily be consistent with the agency, campus, or site priorities, but are determined by various factors such as statewide need, availability of funds in comparison to the size of the request, the relative importance of the building, Fire Marshal priorities, and other considerations. However, the Task Force respects agency/campus priorities, and will defer to them if there are no other factors to determine otherwise, especially for LB530 Rent Surcharge and LB1100 Depreciation Assessment funds requests.

- 5.7 Prioritization & Limited Funding.** Once the “high priority” project requests are determined for a season – or for a year – by the Task Force, the projects will be allocated to the degree that available funding allows. Because of funding limitations, certain “high priority” requests may be deferred until funding levels return to adequacy. Deferment of certain “high priority” requests may also be the result of seasonable influences and the desire to bid or construct a project at the best possible time of the year, or at a time that is more appropriate for the campus or agency.
- 5.8 Types of Allocations.** 309 Task Force allocations may be for one of three purposes, or a combination of these three purposes: a) a consultant *study* to define the problem, possible solutions, and likely costs, b) funds to *design* the project for the purpose of bidding, or c) *construction* or installation of the project. The Task Force will make a judgment on the best possible way to proceed with an allocation based on information and input from the agency or campus.

## SECTION 6: RECEIVING AN ALLOCATION OF 309 FUNDS

- 6.1 Allocation Approval by Governor.** The process by which the Governor approves allocations begins with a submission of a project - or projects - recommended for allocation by the 309 Task Force, complete with project descriptions and the purpose for which the individual allocations are being made. For efficiency of paperwork, it is the custom of the Task Force to group as many projects as possible into one allocation submission. However, emergency submissions are made as needed. The submissions are first reviewed by the Budget Division, and the Division Administrator approves of the allocation(s) submitted only after any questions or issues are resolved. After that, the DAS Director approves after any other questions or issues have been addressed. Finally, the Governor approves of the allocation(s) if there are no additional questions or issues raised by his or her staff. The submission is returned to the Task Force with the approval signatures. From submission of the recommended allocation(s) to the return of the approved submittal, the process typically takes two to three weeks,

depending on availability of the signature authorities. However, if significant questions or issues arise, the process may take longer.

- 6.2 Notice of Allocation.** Immediately following return of the allocation(s) approved by the Governor to the Task Force office, the agency or campus is notified by the Task Force, and the agency or campus receives a copy of the allocation narrative and purpose for each project.
- 6.3 No Assumption of Approvals.** Although an agency or campus may have submitted draft contractor proposals, materials only requisitions, purchase orders, vendor price quotes, or consultant contracts attached to the request for funds, notice of allocation DOES NOT assume that any such documents are also approved. Official approval of certain documents (see Section 7) comes in the form of specific approval memos from the 309 Task Force. If an agency or campus proceeds with a contract, requisition, purchase order, or proposal that was not specifically approved through a memo separate from the allocation notice, then the Task Force has no responsibility to pay.
- 6.4 Agency/Campus Responsibility.** The 309 Task Force makes allocations assuming that agencies and campuses understand these policies and procedures, and are willing to abide by them. If it becomes clear that an entity does not intend to follow these policies and procedures, their allocation(s) may be rescinded. Once an agency or campus receives notice of an allocation, it is their explicit responsibility to read the narrative and purpose of the allocation and to contact the Task Force if they do not fully understand the scope of the proposed project funded by the allocation. It is also their explicit responsibility to contact the Task Force if there are any questions regarding the procedure for draft contract or plans/specifications approvals, or to inquire as to whether it is necessary to re-submit for approval any draft documents previously attached to requests. It is also the responsibility of the agency to get projects underway without delay, and to follow the projects through to completion. If a project is not progressing in a reasonable amount of time (no activity for 12 months), then the allocated 309 funds may be reclaimed. (See also 7.18).
- 6.5 Change in Scope & Allocation Transferability.** Any change of scope must be requested in writing and will require either a new allocation or change (decrease or increase) in existing allocation. All allocations assigned to an agency or campus from Task Force funds are project specific, and fund balances cannot be used or transferred to another project.

## SECTION 7: PROJECT MANAGEMENT & APPROVALS

- 7.1 Project Management Responsibilities.** The agency receiving the allocation from the Task Force is responsible for the day-to-day management of the project as owner, and is responsible for keeping the project within the scope of the allocation. Any problems or issues that may impact the scope must be communicated to the Task Force as soon as possible after discovery. The agency is the contracting party, and is responsible for adherence to terms of contracts, and for agreeing only to terms that are consistent with the laws of the State of Nebraska. The Task Force is responsible for overseeing the project progress, and for paying its share of billed amounts on work satisfactorily performed. Because the Task Force provides funding for specific purposes, it must review and approve certain documents to ensure that the project is not growing in scope, and that funds are being spent in the manner appropriate for successful completion of the project.
- 7.2 Required Reviews & Approvals.** For projects that receive ANY amount of 309 Task Force funds, the Task Force reserves the right to review and approve ALL contracts and ALL bid plans/specifications, as well as any changes to contracts or bid plans. Failure to pursue or to obtain contract or bid plan/spec approval will have the effect of releasing Task Force from obligation to pay bills on the project. Task Force approvals must be obtained prior to the documents being signed or executed by the Owner.
- 7.3 Contract Approvals.** The Task Force must approve any document that obligates the agency (owner) to pay for materials and/or labor on a 309-funded project. This requirement cannot be waived. The Task Force reviews contracts primarily for: a) whether the contract amount is appropriate for the project allocation, and b) whether the services, work, or materials are appropriate for the scope of the project. At times the Task Force may make suggestions to terms and conditions that in our opinion will be in the best interest of the agency, but in no case do these suggestions constitute a legal review. The Task Force in no case assumes any liability for the legal terms and conditions of the contract, even when we suggest revisions. The various types of contracts that require approval are:
- Consultant Design (or Study) Contracts
  - Construction Contracts
  - Proposals from Consultants, Contractors, or Vendors
  - Requisitions/Purchase Orders
  - ANY Letter Agreement, Form or Document which commits funds
  - ANY Revisions or Additions to the above documents
- 7.4 Contract Approval Procedures.** The draft contract document must be sent to the Task Force, along with a statement requesting review and approval. A draft contract document is one that is unsigned by the owner. The means of the submission can be via fax, mail, or by electronic means. The Task Force will endeavor to respond to the

submission within one calendar week (or less) of receiving the complete document(s) including all necessary information. This one week period does NOT necessarily include any time spent resolving issues or questions with the agency, nor does it include time spent seeking allocation increase approval. The agency may request the Task Force response or approval in electronic format, as long as each request specifies the persons and addresses to which the electronic version should be sent. Once approved, the Task Force is to receive a copy of the signed contract.

- 7.5 Consultant Design Contracts Special Provisions.** Because of the nature of Task Force projects, it is not unusual to have a large change to a project even after it has been bid. The Task Force recommends that consultant design contracts include provisions that limit the fee for design of change orders. Provisions should also provide that the consultant is NOT entitled to a fee when proposed changes do not require design, drawings, alterations, additions, or deletions by the consultant, OR when the proposed change is due to the consultant's error or omission.
- 7.6 Contracts Special Provisions.** The 309 Task Force highly discourages agencies from entering into contracts that either: a) limit the liability of the other party, or b) holds another party "harmless." This applies to consultant design contracts, construction contracts, and any other type of contract, or binding document, the Task Force reviews, approves, and on which payments will eventually be made from 309 funds. Also, if agencies propose using AIA standard contract documents, they should be appropriately modified for state use; i.e., incorporate the Nebraska Prompt Pay Act (Sections 81-2401 through 81-2408), eliminate arbitration provisions because it is not consistent with state law, revise insurance provisions, etc.
- 7.7 Proposals Procedures.** Consultant, contractor, or vendor proposals are often used as attachments to standard agency contracts. In such cases, both the proposal and draft contract must be submitted for review and approval. In other cases where the proposal is the sole contracting document, the agency should alert the Task Force to that fact and submit the proposal in draft form (unsigned by Owner). The content of the proposal should include a detailed cost estimate and an explanation of scope. Means of submitting draft proposals means, and the means of subsequent Task Force response or approval, are the same as those outlined in paragraph 7.4. Once approved, the Task Force is to receive a copy of the signed proposal.
- 7.8 Requisitions/Purchase Orders Procedures.** The Task Force must review and approve all draft requisitions or purchase orders, and strongly encourages the use of the Task Force requisition form for materials only projects (available on our web site and in the Appendix). Vendor proposals are required to be attached to that form, and a reference number (assigned by the agency) must be included. Agencies may use their own form

of requisition or purchase order on non-materials only projects, but the vendor proposal and a reference number must be included with the submission. The requisition or purchase order submissions must be in draft form (unsigned by the Owner), and the means of submission and Task Force response or approval are the same as paragraph 7.4. Once approved, the Task Force is to receive a copy of the signed requisition/purchase order.

- 7.9 Contract Change Orders Procedures.** The Task Force requires 3 types of information in order to approve a change order: 1) change order number; 2) change order amount; 3) explanation of change; and any supporting materials to document the amount or explanation. It is no longer required that this information be submitted on a draft change order form, however, agencies can certainly continue that practice. The Task Force must approve ALL change orders, even no cost or deduct change orders. If a change order is approved by the Task Force, and then any of the three items above changes from the original submission, then the new information must be submitted for re-approval. Once approved, the Task Force is to receive a copy of the signed change order. In no case should the information on a signed change order be different from the information submitted for review and approval. If this occurs, the agency may be responsible for 100% payment of the change order.
- 7.10 Plans/Specifications Approvals.** The Task Force must approve all bid documents (plans/specifications) on any 309-funded project. This requirement is *automatically waived* when the Task Force does not review a submitted set of draft plans/specifications within the time parameters shown in 7.11. The Task Force reviews draft plans and specifications primarily for: a) whether the design is appropriate for the project allocation; b) whether the solution, work, and materials described are appropriate for the scope of the project; c) whether specific Task Force design standards or directives have been met; and d) obvious errors that can lead to change orders if not corrected prior to bidding. At times, the Task Force may make design suggestions, as well as suggestions to document terms and conditions that in our opinion will be in the best interest of the agency, but in no case do these suggestions constitute a legal or design review. The Task Force in no case assumes any liability for the plan/specification design, or legal terms and conditions of the documents, even when we suggest revisions.
- 7.11 Plan/Specification Approval Procedures.** The draft plans/specifications must be sent to the Task Force, along with a statement requesting review and approval. In this case, “draft” means the plans/specifications are developed to 95% completion. The set of documents may be sent via fax (if reasonably small), mail, courier, or by electronic means. The Task Force will endeavor to review and respond or approve draft plans/specifications within the following periods of time after receiving them in our

office:

- Two (2) calendar weeks for projects estimated to be under \$1,000,000
- Three (3) calendar weeks for projects estimated to be over \$1,000,000

Draft plans/specifications not acted on by the Task Force within these time periods are granted an Automatic Approval Waiver (AAW). This means that the agency can proceed to bid the project, understanding they take responsibility that the project design addresses items a), b), c) and d), in paragraph 7.10. The time periods above do NOT necessarily include any time spent resolving issues or questions with the agency. The agency may request the Task Force response or approval in electronic format, as long as each request specifies the persons and addresses to which the electronic version should be sent. Once approved, the Task Force is to receive a copy set of the final, 100% bid documents.

**7.12 Addenda Procedures.** Since addenda are revisions to the plans/specifications, the Task Force must review and approve them. Addenda are submitted by the same means as in paragraph 7.8, but the Task Force will endeavor to issue a response or approval within 48 hours (two business days - weekends and state holidays excluded) of receiving it. If the submission is not responded to in that time frame, then the addendum is granted an Automatic Approval Waiver (AAW). This means that the agency can proceed to issue the addendum, understanding that they take responsibility for it being consistent with items a), b), c), and d), in paragraph 7.10. The 48 hour review time period does NOT necessarily include time spent resolving issues or questions with the agency. The agency may request the Task Force response or approval in electronic format, as long as each request specifies the person(s) and address(es) to which the electronic version should be sent.

**7.13 Bidding Projects.** The Task Force requires agencies to follow the state's bidding laws, but cannot be responsible for enforcing such laws. However, if an agency exercises a questionable bidding practice, the Task Force may withhold approval of the contract. The Task Force highly recommends adherence to the bidding guidelines published in the *DAS/SBD Procedural Manual for Capital Construction Projects*. Once a 309 project is bid, the agency submits the results (bid tabulation) to the Task Force, and may at the same time submit the draft construction contract for approval. If the successful bid requires an additional amount of Task Force funds to contract for the project, then the agency must request an allocation increase. The draft construction contract will not be reviewed and approved until after the allocation increase is approved by the DAS Director.

**7.14 Hiring Design Consultants.** As per current law (81-3445), projects with a total estimated cost of \$86,000 or more require plans and specifications to be designed and stamped by a professional architect or engineer registered in the state. (The threshold

amount of \$86,000 is intended to be adjusted for inflation every five years starting in 2009.) As per 81-1108.43, agencies must hire professional consultants and cannot design in-house those projects with a total estimated cost of \$540,000 and above. (This amount will be adjusted for inflation in 2010, and every four years thereafter.) The Task Force requires agencies to hire professional consultants as per current state law, but the Task Force cannot be responsible for enforcing such laws. However, if an agency proposes the hiring of an architect or engineer, and there remains a question of whether the process was consistent with current law, then the Task Force may withhold approval of the consultant contract. The Task Force recognizes agency open-end agreements when consistent with state law. Whenever a consultant selection process as per 81-1701 through 81-1721 is used for a 309 Task Force project, the Task Force should be invited to take part in or monitor the process.

- 7.15 Allowable Costs for 309 Task Force Payments.** The Task Force can pay for construction and installation costs, for materials for the project, for testing, abatement, and demolition costs. Consultant fees and expenses can also be paid by the Task Force. Newspaper bid advertising cannot be paid for directly by the Task Force. Costs that the Task Force will NOT pay for include: telecommunications, in-house services and project management, artwork, and moving and relocation costs. Under no circumstances will the Task Force reimburse an agency for payments made on completed work – or a completed project – even if the costs are considered “allowable” costs.
- 7.16 Payment of Bills/Invoices.** When submitting payment requests, the Contractor/Consultant Payment Form must be filled out completely and include authorized signatures. This form, along with copies of invoices, bills, or applications for payment should be mailed, faxed, or sent electronically to the Task Force office. It is the agency responsibility to pay their share of cooperative funding directly to the contractor, consultant or vendor. All final payments MUST be accompanied by a Final Report closing out the project. See Section 13, or [www.das.state.ne.us/309/forms](http://www.das.state.ne.us/309/forms), for the forms mentioned in this paragraph.
- 7.17 Substantial Completion.** For all 309 Task Force projects over the dollar amount threshold of 81-1108.43 (see paragraph 7.14), the Task Force shall be invited to participate in the substantial completion inspection.
- 7.18 Project Close Out.** A project will generally not be closed out until a Final Report is submitted and all bills are paid. It is the intention of the Task Force to close out projects in a timely manner in order to free up any remaining funds. Inability of an agency to act diligently in closing out projects may be a factor in considering future allocations. Inactivity of a substantially completed project for one year may result in

the closing of the project by the Task Force, and reclaim any remaining 309 funds. (See also paragraph 6.4).

## SECTION 8: MATERIALS ONLY ALLOCATIONS

- 8.1 Materials Only Projects.** Projects where the Task Force pays for the materials, but not the labor, are called materials only projects. They are generally smaller in scope and are accomplished by agency staff performing the labor. Materials bills or invoices on these projects are paid 100% by the Task Force directly to the vendor (typically a lumber yard, hardware store, or supplies company).
- 8.2 Materials Only Requests.** Requests to the Task Force for materials only project funding can be made at any time, and do not necessarily have to be included in the agency biennial request.
- 8.3 Materials Only Requisitions.** After a materials only allocation is approved by the Governor, vendor estimates or proposals are attached to a *309 Task Force Materials Only Requisition form* ([www.das.state.ne.us/309/forms](http://www.das.state.ne.us/309/forms)), and submitted to the Task Force office for approval, as per paragraph 7.8. Once approved, the materials can be obtained from the vendor, and the payment of bills made in the same manner as paragraph 7.16.
- 8.4 Materials Only Policy.** It is the general policy of the Task Force that materials only requests should NOT be used as a way to obtain funding for a larger, but lower priority project, by contracting the labor and paying for labor with agency funds. The labor for materials only projects are intended to be accomplished by in-house staff. It is also the general policy of the Task Force to limit the size of materials only requests, and phasing some projects with smaller allocations over time.

## SECTION 9: CAPITAL CONSTRUCTION & RENOVATION PROJECTS

- 9.1 Role of the 309 Task Force.** Agencies often obtain capital construction funding for renovations, additions, and new construction. The sources of funding for such projects can involve state appropriations, federal funds, agency or department funds, or private or other funds. Although 309 Task Force funds are not involved, it is strongly encouraged that such projects on state facilities be reviewed by the Task Force in order to identify potential future maintenance requirements, and adherence to specific design prohibitions and guidelines. It is in the best interest of the agency and the state to allow the Task Force this role in the process of designing capital

construction projects.

- 9.2 Capital Construction & Renovation General Policy.** It is the general policy of the 309 Task Force that capital construction projects (renovations, additions, and new construction) do NOT become eligible for Task Force funds for a period of ten (10) years from the date of substantial completion. However, this period is reduced to five (5) years when the Task Force is allowed to review draft (95%) plans and specifications and requested changes are incorporated. If Task Force review questions are not adequately addressed, or requested changes are not incorporated, then the eligibility period for the entire project (or a portion of it) can be set back to ten (10) years, through a memo issued by the Task Force. The Task Force will review these plans and specifications for non-309 projects in the same thirty (30) day period that Building Division is allowed in the *DAS/SBD Procedural Manual*.
- 9.3 Rules Guidelines for Renovations.** When an entire facility is renovated, the entire building envelope (i.e., roof, windows, tuckpoint walls, etc.) should be included in the renovation. When a portion of a facility is renovated, only the applicable portion of building envelope should be addressed in the project. However, if the estimated renovation cost exceeds 50% of the building replacement value, or more than 50% of the building above ground is being renovated, then the entire building envelope should be included in the project. The scope of renovation should include all applicable and necessary fire/life safety, and ADA code upgrades for the area being renovated. This also applies when a renovation in one part of the building necessitates a code upgrade outside of the scope of the renovation. 309 Task Force funds will not be considered for necessary building envelope and code upgrades on renovation projects if the upgrades were not included in a request to the Task Force that preceded the planning of the renovation. The purpose of this paragraph is to prevent the Task Force from being pressured to make allocations to fund improvements that should be included in the scope of a renovation.
- 9.4 Capital Construction & Renovation Design Prohibitions.** The design of capital construction & renovation projects should NOT incorporate skylights, free-standing exterior brick walls and/or planters, Exterior Insulation Finish Systems (EIFS), or built-in gutters (for existing built-in gutters, see paragraph 12.16). If an agency includes any of these in the design of a capital construction or renovation project, the Task Force will NOT at any point during the life of the item fund repair or replacement. This includes any consequential or peripheral damage caused by any of the items mentioned in this paragraph.
- 9.5 Capital Construction & Renovation Design Guidelines.** The design of capital

construction & renovation projects should adhere to the Design Guidelines of Section 12. If a capital construction or renovation project does not adhere to an item or items published in Section 12, then the agency will be responsible to pay for the future repair or remedy of the particular item(s).

## **SECTION 10: GIFTS OF PROPERTY, ACQUISITIONS, & CHANGE OF BUILDING ELIGIBILITY**

- 10.1 Gifts of Property.** The process for approval of gifts of property to state agencies (other than University and State College gifts) is provided in state statute 81-1108.33. The law calls for a review of the proposed gift by the State Building Division and the 309 Task Force, and report and recommendation to the Governor and Legislature. According to the statute, the two divisions “shall review the plans, specifications, other construction or repair documents, and potential maintenance requirements as a requirement for acceptance by the state...” In some cases, it may be necessary for the two divisions to inspect the property structure(s) to determine “potential maintenance requirements.” It is the general policy of the Task Force that any gift of property will NOT be eligible for Task Force funds for ten (10) years, unless it has met the requirements of 81-1108.33, in which case the period is reduced to five (5) years. Where potential maintenance items (repairs or replacements needed within five years) are found on structures gifted to the state, those repairs and replacements are the sole responsibility of the agency to appropriately address. Any property that becomes owned by a state agency or commission without Governor and Legislature approval as per 81-1108.33 is deemed to be in violation of law (University and State Colleges excepted), and therefore, will never be eligible for 309 Task Force funds. The Task Force will have no involvement with a property that is in violation of state law.
- 10.2 Acquisitions of Property.** When a property is legally acquired by an agency or commission, it does NOT become eligible for 309 Task Force funds for a period of ten (10) years, unless the Task Force is given the opportunity to review potential maintenance requirements of the property. If this is done, the period is reduced to five (5) years from the time of the review. Where potential maintenance items (repairs or replacements needed within five years) are found on acquired structures through review by the 309 Task Force, those repairs and replacements are the sole responsibility of the agency to appropriately address. This paragraph applies to all state agencies eligible for Task Force funds, AND for gifts of property to the University and State Colleges.
- 10.3 Change in Building Eligibility for Task Force Funds.** When a building or structure officially changes use and becomes “state-supported” or otherwise technically eligible

for Task Force funds (as in the case of a revenue bond structure being converted to a classroom building or other state use), it will be considered the same as an “acquisition” for the purposes of Task Force funding, and paragraph 10.2 will apply.

## **SECTION 11: TRAINING SPONSORED BY THE 309 TASK FORCE**

- 11.1 Applicability.** This section applies to training programs sponsored and paid by the 309 Task Force. This section does NOT apply to training for equipment provided in specific 309 allocated projects, as covered in paragraph 3.23.
- 11.2 Approval of Specific Training Programs.** The Task Force will sponsor and pay for training that directly relates to the facility maintenance and repair duties of state employees, but only when such training receives approval from the Task Force **prior** to registrations being made. No approval will be given for training that is currently underway, or has already been completed. Task Force approved training is intended to be generic to systems, and not limited to specific vendor equipment.
- 11.3 Applicable Costs Paid by the 309 Task Force.** The cost of Task Force approved training will be paid by the Task Force, unless there is an absence as per paragraph 11.5 below. It is the general policy of the Task Force that travel, meal, and lodging expenses of the person or persons attending the training are NOT eligible for compensation by the Task Force, and such costs are the responsibility of the agency or person(s) attending. The Task Force only pays for the cost of the training program.
- 11.4 Registration.** Sufficient time must be given the Task Force to adequately evaluate requested training. If a training program starts before the Task Force has had time to evaluate, then the requesting agency will be 100% responsible for the cost of training. Registration deadlines must be respected by the agencies and persons planning to attend Task Force approved training programs. Failure to register by the deadline will result in exclusion of the person(s) from the training program.
- 11.5 Registrant Absence.** If any state employee registered for a Task Force approved training program is absent, it is the general policy of the Task Force that the registrant, or his/her sponsoring agency, is 100% responsible for the cost of the training program. The absence may be excused if a written explanation is provided to the Task Force, and it is determined by the Task Force to be acceptable. However, the Task Force reserves the right to reject the written explanation, and the cost for the training.
- 11.6 Substitutions.** If a registered training attendee becomes unable to attend the training

program, then the agency or department can propose a qualified substitute to take his or her place. However, the substitution must be proposed prior to the start of training, and the Task Force reserves the right to refuse payment of the training if the substitute's duties are not directly related to the training program. Agencies cannot propose unqualified substitutes as a way to avoid payment for a "no-show."

## SECTION 12: 309 TASK FORCE DESIGN GUIDELINES

- 12.1 General Statement.** The following 309 Task Force "design guidelines" are not comprehensive and do not constitute specifications; they are simply a listing of recommended aspects of design that contribute to successful projects and help reduce future maintenance requirements. Agencies and commissions, and their consultants and in-house project managers, are encouraged to incorporate these design guidelines where applicable and appropriate. However, all must understand that utilization of any of these guidelines does not transfer design responsibility or liability from the consultant or agency to the Task Force. It should also be noted that implementation of these design guidelines may not necessarily be possible or feasible in every case.
- 12.2 Roof Systems Restrictions.** The only roof types (systems) that the 309 Task Force greatly discourages are mechanically fastened "low-sloped" roofs, roofs with exotic or overly expensive materials, or roofs that can be considered "decorative finish" as per 81-173. Mechanically fastened roofs have had a poor track record with the corrosion of fasteners. If an agency, campus, or consultant, desire a mechanically fastened roof they should contact the 309 Task Force regarding the specifics of the individual project. Roofs that incorporate exotic or overly expensive materials are greatly discouraged because they can negatively affect insurance availability and rates, and they will be considered a very low priority of the Task Force. Further, the Task Force will demand a significantly greater agency match rate to even consider the request.
- 12.3 Ballasted Roofs.** The 309 Task Force does not generally recommend the use of ballasted roofs, but in some cases they may be appropriate for economy or compatibility with existing or adjacent roofs. However, ballasted roofs should not be planned to be adjacent to a structure that includes significant areas of exterior glass.
- 12.4 Built-Up Roofs.** Built-up roofs are acceptable, but fewer contractors are installing built-up roofs, and they tend to be more expensive than low-sloped rubber roofs. If an agency, campus, or consultant, desire a built-up roof they should contact the 309 Task Force regarding the specifics of the individual project.
- 12.5 Roof Slope.** For "low-sloped" roof systems, the final roof slope shall be  $\frac{1}{4}$ " per lineal

foot minimum, and valleys in tapered insulation should be 1/8" (recommended), but no lower than 1/16" per foot. For new construction of "low-sloped" roof systems, the slope should be built into the structure. For "steep" roof systems (shingles, etc.) the final roof slope should be a 4 in 12 pitch minimum, except that metal roofs can go as low as 2 in 12, but no lower.

- 12.6 Roof Deck.** When a metal deck is specified, it should be a minimum of 22 gauge thickness (24 gauge preferred). When re-roofing over an existing concrete deck, fasteners should NOT be used to attach the new roof, but rather foam adhesive (recommended) or asphalt applied in warm weather (50 degrees or higher) and in sufficient quantity to achieve proper adhesion (40 pounds minimum per 100 square feet). Minimum plywood deck thickness should be 1/2" and supported at 16" on center. If supports are greater than 16", then "H" clips are required.
- 12.7 Roof Drainage.** Roof drains should be cast iron with flange, deck clamp, bottom outlet, removable galvanized dome strainer, and flashing ring integral with gravel stop. Roofs drains should be set with the flashing ring 1" above the deck. The maximum roof area drained by each leader should be no more than 3,000 square feet. Overflow drains should be placed 2" in elevation above the primary drain(s), but no more than 4" higher than the primary, and they should NOT drain into the primary leader. On new construction, through-wall scuppers should be avoided for either primary or secondary drainage.
- 12.8 Roof Flashings & Curbs.** Minimum roof flashing heights and curb heights should be no lower than 8". For new construction, this is very important in cases where a wall rises from a roof, and there is a window opening in this intersecting wall. The bottom of the window opening should be at least 8" above the surface of the roof in order to maintain 8" of flashing height below the window.
- 12.9 Roof Overhangs.** The Task Force recommends a minimum of 12" overhang on all shingled or "steep" sloped roofs, to avoid premature deterioration and failure of walls. When re-roofing a building with no existing overhangs is requested, the request should include adding an overhang of at least 12".
- 12.10 Treated Wood.** Currently, the use of treated wood known as "CCA" has been banned from use. It has been replaced with "ACQ" treated wood, however, ACQ is causing corrosion problems with nails, fasteners, and metal that comes into contact with it. Because of this problem, the Task Force is recommending that non-treated wood (SPF #2 or better) be specified. This is the same recommendation of the NRCA (National Roofing Contractors Association).

- 12.11 Metal Roofs.** For metal roofs, the minimum slope is as per paragraph 11.5 (4 in 12 slope recommended; 2 in 12 slope minimum). Standing seams should be a minimum of 2" and there should be no exposed fasteners – hidden cleats should be used that allow for expansion. Single panels should be used from eave to ridge with NO roof panel end laps.
- 12.12 Asphalt Shingles.** For exposed high-wind areas, a 110 mph rated shingle should be used. Otherwise, 90 mph rated shingles are acceptable. A six-nail pattern should be used in all cases. For heated buildings with asphalt shingles, ice & water shield should be installed from the eave a minimum of 6'-0" measured horizontally from the interior face of the exterior wall. However, this can be reduced to 3'-0" in cases where the horizontal distance from the ridge to the interior face of the exterior wall is 10' or less.
- 12.13 Roof Insulation "R" Value.** Roof insulation, whether in new construction or a re-roof project, should have an average "R" value of 20 if the window to wall ratio is less than 25%, and an average "R" value of 24 if the ratio is over 25%. This may not necessarily apply, however, in cases where the building (or the floor directly beneath the roof) is not climate controlled, or minimally climate controlled.
- 12.14 Roof Warranties.** For "low-sloped" rubber roofing systems, the specified warranty should be a twenty (20) year NDL (No Dollar Limit) warranty against leaks from the manufacturer of the membrane. For metal roofing systems and for asphalt shingles, the recommended warranty for material and labor from the contractor or installer should be ten (10) years, but no less than five (5) years. In addition, a manufacturer's standard material warranty of twenty (20) years should be available on metal roofs, and thirty (30) years on asphalt shingles. Copies of roof warranties on 309 Task Force projects must be submitted to the Task Force office upon completion of the project. This practice is not required on non-309 capital projects, but is recommended.
- 12.15 Roof Access.** All roofing projects, whether they are a 309 Task Force project, or a new roof in a capital project, should include proper and safe access to the roof for maintenance purposes. Roof hatches, permanently installed ladders, and other safe, acceptable means of roof access, should be designed for every roof. Roof access requests of 309 Task Force funds are acceptable and usually considered a high priority.
- 12.16 Built-In Gutters.** Built-in gutters should NOT be used in new construction. Existing built-in gutters should be covered over. However, in some cases a liner may be installed by the Task Force if the existing built-in is located beyond the face of the exterior wall and performing well.

**12.17 Masonry Waterproofing Sealers.** The 309 Task Force does not allow the use of waterproofing sealers on brick walls because past experience shows that they can trap water inside the wall and cause deterioration.

**12.18 Skylights, Exterior Brick Walls, EIFS, and Built-In Gutters.** The Task Force does NOT recommend the use of skylights, freestanding exterior brick walls & planters, Exterior Insulation Finish Systems (EIFS), and built-in gutters in any state new construction or renovation projects. If any of these are designed and specified for use, the Task Force will NOT ever pay for the repair or replacement of the item for as long as it exists, and includes peripheral or consequential damage caused by the items. This is the case whether or not the Task Force reviewed plans for the project.

**12.19** to

**12.99** are reserved for future use.

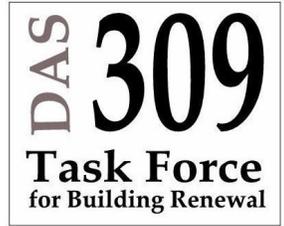
## **SECTION 13: 309 TASK FORCE FORMS AND DOCUMENTS**

The following pages include copies of the current forms and documents of the 309 Task Force for Building Renewal. These can also be found at [www.das.state.ne.us/309/forms](http://www.das.state.ne.us/309/forms).

- 13.1 309 Task Force Funding Request Form (New)**
- 13.2 Project Status Checklist (Revised)**
- 13.3 Materials Only Requisition Form (Revised)**
- 13.4 Payment Recommendation Form (Revised)**
- 13.5 Allocation Increase Request Form (New)**
- 13.6 Final Report Form**

TASK FORCE FOR BUILDING RENEWAL

**REQUEST FOR ALLOCATION**



Date:			
Agency:			
Location/Site:			
Building:		Building Number (DAS Assigned)	
Is This An Emergency Request?	Yes _____	No _____	
Is This A Materials Only Request?	Yes _____	No _____	
Design: Consultant, In-House or Not Required			
Project Name:			
Justification AND Scope (Explain Problem and Solution):			
Detailed Estimated Total Project Cost:			

\_\_\_\_\_  
Name of Requestor

TASK FORCE FOR BUILDING RENEWAL

**PROJECT STATUS CHECKLIST**



<b>Agency</b>		<b>Project / BU#:</b>
<b>Location/Site:</b>		<b>Allocation Date:</b>
<b>Building:</b>		<b>Allocation Amount:</b>

**Project Name:**

*The narrative on the allocation explaining the scope of the project should be read carefully. DO NOT ASSUME that any proposals, requisitions, or contracts submitted with your request for this project is also approved. A separate review notice is sent for each. There is no need to resubmit any of these documents IF there have been no changes. However, DO NOT sign the documents, acquire materials, or execute the work UNTIL you receive the separate, appropriate review notices. If you have any doubts or questions, please call the Task Force office.*

<b>SUBMISSIONS:</b>	<b>Date Submitted:</b>	<b>Date 309 Approved</b>	<b>Signed Copy Submitted</b>
Design: Consultant Contract			
Consultant Addend #			
Bidding: Plans/Specifications (95%)			N/A
Addendum #1			
Addendum #2			
Addendum #3			
Construction: Requisition / P.O. #			
Requisition / P.O. #			
Requisition / P.O. #			
Requisition / P.O. #			
Requisition / P.O. #			
Proposal:			
Proposal:			
Asbestos/Haz-Mat:			
Construction Contract:			
C.O. #1			
C.O. #2			
C.O. #3			
C.O. #4			
C.O. #5			
Other Construction Contract:			
<b>ITEMS FOR SUBMITTAL (APPROVAL NOT REQUIRED):</b>			
Preliminary Plans Copy		N/A	N/A
Bid Tabulations Copy		N/A	N/A
Roof Warrant Copy		N/A	N/A
Final Report (Required to Close Project)		N/A	N/A



TASK FORCE FOR BUILDING RENEWAL  
**MATERIALS ONLY REQUISITION**

Reference No: 309-\_\_\_\_\_  
(To be assigned by Agency & included on all billings)

Date:

Agency:

Location/Site:

Building:

Project Name:

Project / BU#:

Vendor:

Vendor Cost: \$

(Attach vendor proposal)

Will there be an additional charge for freight ? YES\_\_\_ NO\_\_\_

Is vendor quote an exchange price ? YES\_\_\_ NO\_\_\_

Is this an amendment to the original requisition ? YES\_\_\_ NO\_\_\_

Additional Comments:

Submitted for approval by:\_\_\_\_\_

Projects under \$15,000 - One quote required  
Projects between \$15,000 and \$40,000 - Three quotes required

TASK FORCE FOR BUILDING RENEWAL

**CONTRACTOR/CONSULTANT PAYMENT RECOMMENDATION**

FOR TASK FORCE USE

<b>PAYEE FTIN:</b>				<b>DOCUMENT #</b>	
<b>PAYEE NAME:</b>				<b>PAYMENT #</b>	
<b>PAYEE ADDRESS:</b>				<b>PAYMENT DATE</b>	
<b>CITY:</b>		<b>STATE:</b>		<b>ZIP CODE:</b>	
<b>AGENCY:</b>					
<b>LOCATION/SITE:</b>					
<b>BUILDING NAME:</b>					
<b>PROJECT DESCRIPTION:</b>					
<b>INVOICE #</b>				<b>INVOICE TOTAL:</b>	
<b>INVOICE DATE:</b>					
<b>AGENCY PROJECT NUMBER</b>				<b>% COOP FUNDING SPLIT</b>	
<b>ADDRESS BOOK NUMBER</b>				<b>X-3 NUMBER</b>	
		<b>X-3 CONTRACT PAYMENT</b>	<b>PARTIAL</b>		<b>CLOSE (FINAL)</b>

**PROJECT CODING ASSIGNED BY TASK FORCE:**

PROJECT / BU #	OBJECT CODE #*	DEBIT	CREDIT

**COMMENTS:**

IS THIS THE FINAL INVOICE FOR THIS TASK FORCE FUNDED PROJECT?  YES  NO

(IF YES, A FINAL REPORT SHOULD BE ATTACHED)

**PROJECT MANAGER SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**REVIEWERS SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Object Code\*                  Architects/Engineer 542500 Deferred Repair 526101      Fire/Life-Safety 526103      ADA 526102



Name of Evaluator: \_\_\_\_\_

Date of Evaluation: \_\_\_\_\_

Substantial Completion Date: \_\_\_\_\_



## FINAL REPORT

<b>AGENCY:</b>	<b>LOCATION/SITE:</b>
<b>BUILDING:</b>	<b>BUILDING NUMBER:</b>
<b>Project Name:</b>	
<b>PROJECT / BU#:</b>	<b>ALLOCATION DATE:</b>
<b>ORIGINAL 309 ALLOCATION AMOUNT: \$</b>	<b>TOTAL 309 ALLOCATION CHANGE AMOUNT: \$</b>
<b>AGENCY COOPERATIVE FUNDING: \$</b>	<b>TOTAL PROJECT EXPENDITURES: \$</b>
<b>ARCHITECT: Name:</b>	
<b>Address: City: ST Zip:</b>	
<b>ARCHITECT/ENGINEER QUALITY OF WORKMANSHIP:</b>	
<b>CONTRACTOR: Name:</b>	
<b>Address: City: ST Zip:</b>	
<b>CONTRACTOR QUALITY OF WORKMANSHIP:</b>	
<b>AGENCY SATISFACTION / INFORMATION PERTINENT TO THIS PROJECT:</b>	
<b>CONTRACT COMPLETE: Yes     No    </b>	
<b>PURCHASE ORDERS COMPLETE: Yes     No    </b>	