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*John W. Barnhill, Jr., Chairman
H. Scott Caven, Jr.
Rita C. Clements
Robert A. Estrada
Colleen McHugh*

Committee Meeting: 11/9/2005

Board Meeting: 11/10/2005
Austin, Texas

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1. **U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 80302, Section 3, regarding Architect Selection Advisory Committees**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Series 80302, Section 3, regarding Building Committees, be amended as set forth below in congressional style:

Sec. 3 Architect Selection Advisory Committees. Architect Selection Advisory Committees for Major Projects shall be appointed by the institutional president in consultation with the Office of Facilities Planning and Construction and the Associate Vice Chancellor for Facilities Planning and Construction. The Architect Selection Advisory Committee is authorized to evaluate, rank, and make selection recommendations of project architects for appointment by the Executive Vice Chancellor for Business Affairs Chancellor, with the exception of Special Interest Projects discussed in Section 4 below. Architect Selection Advisory Committees for Minor Projects shall be appointed by the president of the institution.

BACKGROUND INFORMATION

In the Regents' *Rules and Regulations*, most project authority is delegated directly to the Executive Vice Chancellor for Business Affairs. This change makes Series 80302 consistent with other rules on this topic.

2. **U. T. System Board of Regents: Amendments to the Regents' Rules and Regulations, Series 80402, Sections 1, 6, and 8 (Major Repair and Rehabilitation Projects)**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Series 80402, Sections 1, 6, and 8, regarding Major Repair and Rehabilitation Projects, be amended as set forth below in congressional style:

Sec. 1 Contract Authorization - Architects. Subject to Regents' *Rules and Regulations* Series 80301 and Series 10501, and

Sections 2, 3, 4 and 5 below, and except as otherwise specified in these *Rules and Regulations*, the Executive Vice Chancellor for Business Affairs ~~Associate Vice Chancellor for Facilities Planning and Construction~~, with the advice of the Associate Vice Chancellor for Facilities Planning and Construction ~~appropriate Executive Vice Chancellor~~ and institutional president, is authorized to appoint architects and execute contracts for professional services ~~approve plans~~.

- Sec. 6 Contract Management. The Associate Vice Chancellor for Facilities Planning and Construction ~~Executive Vice Chancellor for Business Affairs~~ shall approve the construction contractor's, design-build contractor's, or construction manager's estimates, guaranteed maximum price, or stipulated sum proposals; sign change orders; and provide general supervision of all Major Projects.
- Sec. 8 Facility Program. A facility program shall be prepared for all Major Projects in accordance with the Facilities Programming Guidelines maintained by the Office of Facilities Planning and Construction. The facility program must be approved by the president of the institution.

BACKGROUND INFORMATION

The proposed amendment to Regents' *Rules and Regulations*, Series 80402, Section 1 is needed because in the Regents' *Rules and Regulations* most project authority is delegated directly to the Executive Vice Chancellor for Business Affairs. This change makes Series 80402 consistent with other rules on this topic.

The proposed amendment to Regents' *Rules and Regulations*, Series 80402, Section 6 is needed because these duties have typically been delegated from the Executive Vice Chancellor for Business Affairs to the Associate Vice Chancellor for Facilities Planning and Construction and others under his direction. The proposed change to Regents' *Rules and Regulations*, Series 80402, Section 6 is consistent with past and current practices in the management of Major Projects.

The proposed amendment to Regents' *Rules and Regulations*, Series 80402, Section 8 is needed because the current *Rules and Regulations* do not clearly require the development of facility program on all Major Projects. Development of a facility program is a critical step in the development of a Major Project because it is the document that quantifies the needs of the end user and the functional goals of the design.

3. **U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 80403, Section 1 (Minor Repair and Rehabilitation Projects)**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Series 80403, Section 1, regarding Minor Repair and Rehabilitation Projects, be amended as set forth below in congressional style:

- Sec. 1 Delegation of Authority. Subject to Sections 2 and 3 immediately below and the general provisions of Series 10501 of the Regents' *Rules and Regulations* and except as otherwise specified in these *Rules and Regulations*, each institution president or the Executive Vice Chancellor for Business Affairs, as appropriate Chancellor, is authorized to appoint architects, approve plans and Construction Documents, and execute and deliver contracts, agreements, guaranteed maximum price or stipulated sum proposals, and other documents on behalf of the Board of Regents for all new construction projects of \$1 million or less and for repair and rehabilitation projects of \$2 million or less ("Minor Projects").

BACKGROUND INFORMATION

In the Regents' *Rules and Regulations*, most project authority is delegated directly to the Executive Vice Chancellor for Business Affairs. This change makes Series 80403 consistent with other rules on this topic.

4. **U. T. System Board of Regents: Adoption of Regents' Rules and Regulations, Series 80404, related to institutional management of Major Construction and Repair and Rehabilitation Projects**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Vice Chancellor and General Counsel that a new rule related to institutional management of Major Construction and Repair and Rehabilitation Projects, as set forth on Pages 45 - 47, be added to the Regents' *Rules and Regulations*, as Series 80404.

1. Title

Institutional Management of Major Construction and Repair and Rehabilitation Projects

2. Rule and Regulation

- Sec. 1 Contract Authorization - Architects. Subject to Regents' *Rules and Regulations* Series 80301, Series 10501, and Sections 2, 3, 4, and 5 below, and except as otherwise specified in these *Rules and Regulations*, the institutional president, with the advice of the appropriate Executive Vice Chancellor, is authorized to appoint architects and execute contracts for professional services.
- Sec. 2 Contract Authorization - Construction. The institutional president is authorized to execute construction and related contracts for all new construction projects and for all major repair and rehabilitation projects that have previously been approved or authorized for institutional management by the Board of Regents in the Capital Improvement Program (CIP).
- Sec. 3 Standardized Contracts. Construction contracts executed and delivered on behalf of the Board of Regents for Major Projects shall comply with guidelines issued by the U. T. System Administration Office of General Counsel and shall be written on a standard form approved by the Office of General Counsel. Payment and performance bonds, when required by law for contracts, shall be on a standard form approved by the Office of General Counsel. Contracts with architects and engineers shall comply with guidelines issued by the Office of General Counsel and shall be written on a standard form approved by the Office of General Counsel.
- Sec. 4 Capital Budget. Funding for Major Repair and Rehabilitation Projects that are not architecturally or historically significant may be appropriated by the Board of Regents through the Capital Budget. Funding for all other Major Projects is appropriated at the time of design development plan approval.

- Sec. 5 Approval for Excess Costs or Material Change. Costs in excess of an amount equal to the Total Project Cost approved by the Board of Regents plus 10% or any material change in the concept or scope of the project must be approved by the Board.
- Sec. 6 Contract Management. The institutional president shall approve the construction contractor's, design-build contractor's, or construction manager's estimates, guaranteed maximum price, or stipulated sum proposals; sign change orders; and provide general supervision of all Major Projects.
- Sec. 7 Authority to Increase Project Cost. The institutional president, with the advice of the appropriate Executive Vice Chancellor, is authorized to increase the approved Total Project Cost not more than 10%. To provide funding for the increase, the institutional president may reallocate funding between or among approved projects at the institution if funding for such projects has previously been authorized or is from some other source of approved funds available to the institution.
- Sec. 8 Facility Program. A facility program shall be prepared in accordance with the Facilities Programming Guidelines maintained by the Office of Facilities Planning and Construction. The facility program must be approved by the president of the institution.
- Sec. 9 Adherence with Campus Master Plan. Requests for Qualifications (RFQs) issued to solicit responses from interested architects will include a requirement that the architect evidence agreement to adhere to the approved Campus Master Plan and a set of criteria applicable to the facility program and the needs of the institution.
- Sec. 10 Preparation of Design Development Plans. After approval of the facility program, the institutional president is authorized to give the project architect, engineer, or design-build contractor the facility program and the Campus Master Plan and to direct the preparation of schematic plans, exterior design, site plans, cost estimates, and other necessary and appropriate documents ("Schematic Plans") and design development plans, elevations, and sections, outline specifications, cost estimates, and other related work to establish the scope, design, dimensions, and materials of the project in greater detail ("Design Development Plans"). Design Development Plans are referred to as Preliminary Plans in applicable rules of the Texas Higher Education Coordinating Board. The project architect, engineer,

or design-build contractor shall work with the Ad Hoc Project Building Committee, if any, and the institutional president with regard to architectural design and construction projects.

- Sec. 11 Approval of Design Development Plans. Design Development Plans for institutionally managed Major Project new construction and repair and rehabilitation projects shall be submitted to the Board of Regents for approval upon the recommendation of the Chancellor. The institutional president shall be responsible for identifying to the Board of Regents special interest projects.
- Sec. 12 Expenditure Authorization. Upon approval of the Design Development Plans for institutionally managed Major Project new construction or repair and rehabilitation projects, the Board of Regents will authorize expenditure of funds for the projects.
- Sec. 13 Construction Documents. After approval of the Design Development Plans, the institutional president is authorized to direct the preparation of the working drawings and specifications ("Construction Documents").

3. Definitions

Facility Program – A project planning document that organizes and summarizes client needs and programmatic information needed to design a capital project. It is generated through a process of collecting, analyzing, synthesizing, and documenting significant requirements for a Project prior to proceeding into the Design Phase.

Major Project – Any project that meets one or more of the following criteria: 1) new construction with a value of at least \$1 million, 2) repair and rehabilitation projects with a value of at least \$2 million, 3) any project determined by the Board to be architecturally or historically significant, 4) any project that is debt financed (RFS, TRB, PUF) regardless of dollar value except those projects appropriated through the LERR budget, and 5) any campus planning efforts that are intended to result in a capital project meeting one or more of these criteria.

BACKGROUND INFORMATION

Current Regents' *Rules and Regulations*, Series 80301, Section 5, require that Major Projects designated for institutional management follow the same process, authority and approvals required for Minor Projects. However, the regulations applicable to Minor Projects are no longer adequate to protect the interests of U. T. System. The proposed new Regents' *Rules and Regulations*, Series 80404 is adapted from Series 80402 which

governs the management of Major Projects. Adoption of the new rule will bring consistency to the management of Major Projects across the U. T. System.

5. U. T. Austin: Biomedical Engineering Building - Request for approval of design development; revise funding sources; appropriation of funds and authorization of expenditure; approval of evaluation of alternative energy economic feasibility; and resolution regarding parity debt

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Faulkner that the U. T. System Board of Regents approve the recommendations for the Biomedical Engineering Building project at The University of Texas at Austin as follows:

Project Number: 102-172

Architecturally or Historically Significant: Yes No

Project Delivery Method: Construction Manager at Risk

Substantial Completion Date: July 2008

Total Project Cost:	<u>Source</u>	<u>Current</u>	<u>Proposed</u>
	Revenue Financing System Bond Proceeds	\$43,900,000	\$40,500,000
	Gifts	\$ 8,000,000	\$ 8,000,000
	Unexpended Plant Funds	<u>\$ 3,200,000</u>	<u>\$ 6,600,000</u>
		\$55,100,000	\$55,100,000

- a. approve design development plans;
- b. revise funding sources;
- c. appropriate funds and authorize expenditure of funds;
- d. approve the evaluation of alternative energy economic feasibility; and
- e. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that
 - parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt;
 - sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined

in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and

- U. T. Austin, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$40,500,000.

BACKGROUND INFORMATION

Debt Service

The \$40,500,000 in Revenue Financing System debt will be repaid from net revenues generated from indirect cost recovery. Total annual debt service on the project is estimated at \$2,634,583. Debt service coverage on the project is expected to be 1.50 times in each of the first three years of operation (FY 2008 - FY 2010).

Previous Board Actions

On August 7, 2003, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$25,000,000 with funding from Designated Tuition. On November 12, 2003, the Board designated the project as architecturally significant. On August 11, 2005, the total project cost was increased to \$55,100,000 with funding of \$43,900,000 from Revenue Financing System Bond Proceeds, \$8,000,000 from Gifts, and \$3,200,000 from Unexpended Plant Funds.

Project Description

The building will consist of six floors containing approximately 140,700 gross square feet to house the College of Engineering (Biomedical Engineering) currently housed in three separate facilities, provide quality laboratory research space for the College of Pharmacy (Medicinal Chemistry), and provide biology teaching laboratory space for the College of Natural Sciences. Changing the funding sources more accurately reflects the financial model to optimize the amount of debt on the project.

The building will provide new administrative, faculty, and student spaces, research, teaching, and computer laboratories plus seminar and conference room spaces to support a variety of research and education activities.

Texas Government Code Section 2166.403 requires the governing body of a State agency to verify in an open meeting the economic feasibility of incorporating alternative energy devices into a new State building. Therefore, the Project Architect prepared an

evaluation for this project in accordance with the Energy Conservation Design Standards for New State Buildings. This evaluation determined that alternative energy devices such as solar, wind, biomass, or photovoltaic energy are not economically feasible for the project.

The economic impact of the project will be reported to the U. T. System Board of Regents as part of the design development presentation.

6. U. T. Tyler: University Center Renovation/Expansion (Phase I) - Request for approval of design development; approval of evaluation of alternative energy economic feasibility; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Mabry that the U. T. System Board of Regents approve the recommendations for the University Center Renovation/Expansion (Phase I) project at The University of Texas at Tyler as follows:

Project Number: 802-227

Architecturally or Historically Significant: Yes No

Project Delivery Method: Competitive Sealed Proposals

Substantial Completion Date: August 2007

Total Project Cost:	<u>Source</u>	<u>Current</u>
	Revenue Financing System Bond Proceeds	\$11,000,000

- a. approve design development plans;
- b. approve the evaluation of alternative energy economic feasibility;
- c. appropriate funds and authorize expenditure of funds; and
- d. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that
 - parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt;
 - sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined

in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and

- U. T. Tyler, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$11,000,000.

BACKGROUND INFORMATION

Debt Service

The \$11,000,000 in Revenue Financing System debt will be repaid from net revenues generated from student fees. Average annual debt service on the project is estimated at \$714,173 over the first 10 years (FY 2006 - FY 2015). Annual debt service will level at \$756,859 in FY 2007. Debt service coverage on the project is expected to be at least 1.39 times and average 1.71 times over the first 10 years of operation.

Previous Board Action

On August 11, 2005, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$11,000,000 with funding from Revenue Financing System Bond Proceeds.

Project Description

The project will consist of renovation of the first floor of the existing building and an expansion to meet increased space needs. The Phase I project will include expansion of food services, a bookstore, and meeting space and offices for support staff.

The first floor renovation will include updating building systems including HVAC, plumbing, electrical and telephone/data as well as the installation of a fire sprinkler system.

Texas Government Code Section 2166.403 requires the governing body of a State agency to verify in an open meeting the economic feasibility of incorporating alternative energy devices into a new State building. Therefore, the Project Architect prepared an evaluation for this project in accordance with the Energy Conservation Design Standards for New State Buildings. This evaluation determined that alternative energy devices such as solar, wind, biomass, or photovoltaic energy are not economically feasible for the project.

The economic impact of the project will be reported to the U. T. System Board of Regents as part of the design development presentation.

7. U. T. Health Science Center - San Antonio: Medical Arts and Research Center - Request for approval of design development; approval of evaluation of alternative energy economic feasibility; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and President Cigarroa that the U. T. System Board of Regents approve the recommendations for the Medical Arts and Research Center project at The University of Texas Health Science Center at San Antonio as set forth below. President Cigarroa will report on future plans for the Research Center during the meeting of the Health Affairs Committee on November 9, 2005 (see Item 4 on Page 35).

Project Number: 402-191

Architecturally or Historically Significant: Yes No

Project Delivery Method: Construction Manager at Risk

Substantial Completion Date: September 2008

Total Project Cost:	<u>Source</u>	<u>Current</u>
	Revenue Financing System Bond Proceeds	\$85,000,000
	Medical Services, Research and Development Plan	<u>\$10,000,000</u>
		\$95,000,000

- a. approve design development plans;
- b. approve the evaluation of alternative energy economic feasibility;
- c. appropriate funds and authorize expenditure of funds; and
- d. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that
 - parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt;

- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and
- U. T. Health Science Center - San Antonio, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$85,000,000.

BACKGROUND INFORMATION

Debt Service

The \$85,000,000 in Revenue Financing System debt will be repaid from net revenues generated by medical services, parking, rent, and royalties. Average annual debt service on the project is estimated at \$6,456,035 during the first eight years (FY 2006 - FY 2013). Annual debt service will level at \$8,573,874 in FY 2010. Debt service coverage on the project is expected to be at least 1.45 times and average 2.30 times during the project's first 13 years of operation.

Previous Board Actions

On November 3, 2003, the project was included in the Capital Improvement Program (CIP) as a feasibility and planning study with a preliminary project cost of \$300,000 with funding from Medical Services, Research and Development Plan (MSRDP). On August 11, 2005, the project was included in the CIP with a preliminary project cost of \$95,000,000 with funding of \$85,000,000 from Revenue Financing System Bond Proceeds and \$10,000,000 from MSRDP.

Project Description

The proposed project will support ambulatory clinical care services and clinical research activities for the School of Medicine Faculty Practice Plan. The ambulatory clinic building will be approximately 188,870 gross square feet and the faculty office will be approximately 62,000 gross square feet. Site improvements include landscaping, new drives for access to the new building, and parking structures for approximately 1,000 cars.

The U. T. Health Science Center - San Antonio's nonprofit health corporation, University Physicians Group (UPG), is the organizational structure through which the

University conducts its clinical care activities. UPG currently leases clinical space in eight separate locations throughout the city. The two main clinic sites are the Diagnostic Pavilion located adjacent to the University campus, and the Brady Green Clinic located in downtown San Antonio. The Medical Arts and Research Center will replace the Diagnostic Pavilion and allow consolidation of other services from many of the smaller sites currently in use. The proposed expansion will enhance the clinical mission in four thematic service areas to include Signature Programs, Core Clinical Services, Diagnostic and Surgical Center, and Shared Community Resources.

Texas Government Code Section 2166.403 requires the governing body of a State agency to verify in an open meeting the economic feasibility of incorporating alternative energy devices into a new State building. Therefore, the Project Architect prepared an evaluation for this project in accordance with the Energy Conservation Design Standards for New State Buildings. This evaluation determined that alternative energy devices such as solar, wind, biomass, or photovoltaic energy are not economically feasible for the project.

The economic impact of the project will be reported to the U. T. System Board of Regents as part of the design development presentation.

8. **U. T. M. D. Anderson Cancer Center: Bastrop Research and Education Building (Phase I of the Bastrop Facility Strategic Plan) - Request for approval of design development for Phase I of the project; approval of evaluation of alternative energy economic feasibility; and appropriation of funds and authorization of expenditure**

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and President Mendelsohn that the U. T. System Board of Regents approve the recommendations for the first phase of the Bastrop Research and Education Building project at The University of Texas M. D. Anderson Cancer Center as follows:

Project Number: 703-195

Architecturally or Historically Significant: Yes No

Project Delivery Method: Construction Manager at Risk

Substantial Completion Date: January 2007

Total Project Cost:	<u>Source</u>	<u>Current</u>
	Revenue Financing System Bond Proceeds	\$10,000,000
	Hospital Revenues (Phase I)	\$ 7,000,000
	Grants (Phase I)	<u>\$ 4,000,000</u>
		\$21,000,000

- a. approve design development plans;
- b. approve the evaluation of alternative energy economic feasibility; and
- c. appropriate funds and authorize expenditure of funds.

BACKGROUND INFORMATION

Previous Board Action

On August 7, 2003, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$9,000,000 with funding from Hospital Revenues. With the adoption of the FY 2006-2011 CIP on August 11, 2005, the project was included in the CIP with a preliminary project cost of \$21,000,000 with funding of \$10,000,000 from Revenue Financing System Bond Proceeds, \$7,000,000 from Hospital Revenues, and \$4,000,000 from Grants.

Project Description

The first phase of the Bastrop Research and Education Building (BREB) consists of a building of approximately 34,000 gross square feet to provide basic research laboratories, education space, primate research laboratories, pathology support, and various site and infrastructure upgrades. The building will be consistent with the low-rise/low profile theme of the Bastrop campus and will contain a combination of laboratories, offices, conference, and teaching spaces. Design development approval for Phase II of the project will be requested at a future Board date.

The recruitment of Dr. Christian Abee to the Bastrop campus has created a need to house his owl monkey and squirrel monkey colonies. Dr. Abee had already secured a National Institutes of Health (NIH) grant at his previous position with the University of South Alabama. This grant is currently being transferred to U. T. M. D. Anderson Cancer Center. Combining the scope of the NIH grant with the BREB and the previously scheduled pathology renovation for this campus revealed that efficiencies could be gained by combining these programs into one building. The BREB will support institutional objectives for accommodating vivarium and office space needs, increasing research, education, and support space with the construction of this new facility. A portion of the building related to Pathology will be shelled out.

Texas Government Code Section 2166.403 requires the governing body of a State agency to verify in an open meeting the economic feasibility of incorporating

alternative energy devices into a new State building. Therefore, the Project Architect prepared an evaluation for this project in accordance with the Energy Conservation Design Standards for New State Buildings. This evaluation determined that alternative energy devices such as solar, wind, biomass, or photovoltaic energy are not economically feasible for the project.

The economic impact of the project will be reported to the U. T. System Board of Regents as part of the design development presentation.

9. U. T. M. D. Anderson Cancer Center: Smithville Laboratory Building IV - (Phase I of the Smithville Facility Strategic Plan) - Request for approval of design development for Phase I of the project; approval of evaluation of alternative energy economic feasibility; and appropriation of funds and authorization of expenditure

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and President Mendelsohn that the U. T. System Board of Regents approve the recommendations for the first phase of the Smithville Laboratory Building IV project at The University of Texas M. D. Anderson Cancer Center as follows:

Project Number: 703-235
Institutionally Managed: Yes No
Architecturally or Historically Significant: Yes No
Project Delivery Method: Construction Manager at Risk
Substantial Completion Date: December 2006

Total Project Cost:	<u>Source</u>	<u>Current</u>
	Revenue Financing System Bond Proceeds	\$18,000,000
	Hospital Revenues (Phase I)	<u>\$12,300,000</u>
		\$30,300,000

- a. approve design development plans;
- b. approve the evaluation of alternative energy economic feasibility; and
- c. appropriate funds and authorize expenditure of funds.

BACKGROUND INFORMATION

Previous Board Actions

On August 7, 2003, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$30,000,000 with funding from Hospital Revenues. With the adoption of the FY 2006-2011 CIP on August 11, 2005, the project was included in the CIP with a preliminary project cost of \$30,300,000 with funding of \$18,000,000 from Revenue Financing System Bond Proceeds and \$12,300,000 from Hospital Revenues.

Project Description

Pursuant to a Memorandum of Understanding effective August 26, 2004, U. T. M. D. Anderson Cancer Center has delegated authority for institutional management of construction projects under the continued oversight of the Office of Facilities Planning and Construction. These institutionally managed projects are subject to review by the Board of Regents for design development.

This is the first phase of this \$30,300,000 project. The Smithville Laboratory Building IV project consists of five elements:

- a fourth research laboratory building of 23,000 gross square feet;
- a new auditorium/office building of 12,000 gross square feet;
- a cell line preservation/storage addition of 2,800 gross square feet;
- phase four expansion of the animal building of 4,400 gross square feet; and
- a new central heating and cooling plant of 5,500 gross square feet, renovation of mechanical systems in Laboratory Buildings I and II, plus site and infrastructure upgrades to support the new buildings.

U. T. M. D. Anderson Cancer Center is seeking approval to proceed with the first phase of this project, consisting of construction of the fourth research laboratory building and infrastructure improvements on the campus, with a total project cost of \$12,300,000 for this first phase. Design development approval for Phase II of the project will be requested at a later date.

The other projects in the first phase are the creation of a central plant to increase capacity and improve efficiency of distributed utilities to serve the new Laboratory Building IV and replace existing equipment serving Laboratory Buildings I, II, and III;

the addition of new roadways and parking to accommodate current needs including necessary access and parking to support Laboratory Building IV; and utility upgrades/renovations in Laboratory Buildings I and II.

Texas Government Code Section 2166.403 requires the governing body of a State agency to verify in an open meeting the economic feasibility of incorporating alternative energy devices into a new State building. Therefore, the Project Architect prepared an evaluation for this project in accordance with the Energy Conservation Design Standards for New State Buildings. This evaluation determined that alternative energy devices such as solar, wind, biomass, or photovoltaic energy are not economically feasible for the project.

The economic impact of the project will be reported to the U. T. System Board of Regents as part of the design development presentation.

10. U. T. M. D. Anderson Cancer Center: South Campus Vivarium Facility - Request for approval of design development; approval of evaluation of alternative energy economic feasibility; and appropriation of funds and authorization of expenditure

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and President Mendelsohn that the U. T. System Board of Regents approve the recommendations for the South Campus Vivarium Facility project at The University of Texas M. D. Anderson Cancer Center as follows:

Project Number: NA
Institutionally Managed: Yes No
Architecturally or Historically Significant: Yes No
Project Delivery Method: Construction Manager at Risk
Substantial Completion Date: July 2007
Total Project Cost:

<u>Source</u>	<u>Current</u>
Hospital Revenues	\$25,000,000

- a. approve design development plans;
- b. approve the evaluation of alternative energy economic feasibility; and
- c. appropriate funds and authorize expenditure of funds.

BACKGROUND INFORMATION

Previous Board Action

On August 11, 2005, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$25,000,000 with funding from Hospital Revenues.

Project Description

Pursuant to a Memorandum of Understanding effective August 26, 2004, U. T. M. D. Anderson Cancer Center has delegated authority for institutional management of construction projects under the continued oversight of the Office of Facilities Planning and Construction. The institutionally managed projects are subject to review by the Board of Regents for design development.

The South Campus Vivarium is an expansion and renovation of existing facilities. The selected site for the expansion and renovation is the Physical Plant Building, which is located on Knight Road between the Smith Research Building (SRB) and the South Campus Research Building 1. This project will provide housing for mice within a floor area of approximately 38,000 gross square feet, and includes shell space for subsequent phases to be constructed in the future. This project will also begin integrating the expanded and renovated facility with the existing SRB vivarium to create a single, unified structure. The expanded and renovated facility will accommodate a total planned population of 60,000 mice (including the capacity of the existing SRB vivarium) in 74,200 gross square feet. The project will also provide administrative offices, a break room, and support facilities for personnel.

Texas Government Code Section 2166.403 requires the governing body of a State agency to verify in an open meeting the economic feasibility of incorporating alternative energy devices into a new State building. Therefore, the Project Architect prepared an evaluation for this project in accordance with the Energy Conservation Design Standards for New State Buildings. This evaluation determined that alternative energy devices such as solar, wind, biomass, or photovoltaic energy are not economically feasible for the project.

The economic impact of the project will be reported to the U. T. System Board of Regents as part of the design development presentation.

11. U. T. Austin: Darrell K Royal - Texas Memorial Stadium Fire and Life Safety/Improvement Planning - Amendment to the FY 2006-2011 Capital Improvement Program and the FY 2006-2007 Capital Budget to increase total project cost; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Faulkner that the U. T. System Board of Regents approve the recommendations for the Darrell K Royal - Texas Memorial Stadium Fire and Life Safety/Improvement Planning project at The University of Texas at Austin as follows:

Project Number: 102-081

Architecturally or Historically Significant: Yes No

Project Delivery Method: Construction Manager at Risk

Substantial Completion Date: August 2006

Total Project Cost:	<u>Source</u>	<u>Current</u>	<u>Proposed</u>
	Revenue Financing System Bond Proceeds	\$11,000,000	\$15,000,000

- a. increase total project cost;
- b. appropriate funds and authorize expenditure of funds; and
- c. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that
 - parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt;
 - sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and
 - U. T. Austin, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its

direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$4,000,000.

BACKGROUND INFORMATION

Debt Service

The \$15,000,000 in total Revenue Financing System debt will be repaid from net revenues generated from Centennial Room/West Stadium seating. Average annual debt service on the project is estimated at \$838,946 over the first five years (FY 2006 - FY 2010). Annual debt service will level at \$1,060,744 in FY 2008. Debt service coverage on the project is expected to be at least 1.59 times and average 2.51 times during the project's first five years.

Previous Board Actions

On December 10, 2004, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$5,000,000 with funding from Auxiliary Enterprise Balances. On August 11, 2005, the Board approved the design development plans and increased the total project cost to \$10,000,000 with funding from Revenue Financing System Bond Proceeds. On September 22, 2005, the Chancellor approved increasing the total project cost to \$11,000,000.

Project Description

This project began as a comprehensive feasibility and planning study of the Darrell K Royal - Texas Memorial Stadium. The full scope of options and associated costs for improving the fire and life safety of the stadium have been recommended to define current code and infrastructure needs.

The Stage I - Belmont Hall Renovation portion of the Stadium Fire and Life Safety/Improvement Planning project will address several life safety concerns within the existing Belmont Hall, and provide waterproofing and structural repairs and building system upgrades. The project will also include renovation and expansion of the ninth floor Centennial Room, the addition of fixed seating at that level, renovations to the eighth floor Press Box area to accommodate additional working press, and renovations to the ninth and tenth floors for Kinesiology.

The Stage 2 - North End Zone Expansion portion of the Stadium Fire and Life Safety/Improvement Planning project will address many life safety, structural, and accessibility deficiencies and noncompliant issues in the existing north grandstand. Reconstruction of this area will resolve these issues, and new construction may include spaces for cheering facilities, stadium services, central receiving, commissary, loading dock/TV truck services, gymnasium, concourse, food service, restrooms, EMS,

ticketing, foundation, museums, Kinesiology, academics, club and suite levels, and general seating. The project will extend into the existing East and West Grandstands, including Belmont Hall, to complete the life safety code upgrades.

12. U. T. Pan American: Chill Water Extension - Amendment of the FY 2006-2011 Capital Improvement Program and the FY 2006-2007 Capital Budget to authorize institutional management; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Cárdenas that the U. T. System Board of Regents approve the recommendations for the Chill Water Extension project at The University of Texas - Pan American as follows:

Project Number: 901-234

Architecturally or Historically Significant: Yes No

Project Delivery Method: Competitive Sealed Proposals

Substantial Completion Date: February 2007

Total Project Cost:	<u>Source</u>	<u>Current</u>
	Revenue Financing System Bond Proceeds	\$625,000

- a. amend the FY 2006-2011 Capital Improvement Program (CIP) and the FY 2006-2007 Capital Budget to authorize institutional management;
- b. appropriate funds and authorize expenditure of funds; and
- c. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that
 - parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt;
 - sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and

- U. T. Pan American, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$625,000.

BACKGROUND INFORMATION

Debt Service

The \$625,000 in Revenue Financing System debt will be repaid from institutional funds. Annual debt service is estimated at \$5,449. Overall debt service coverage for the institution is expected to average 3.57 times from FY 2006 through 2011.

Previous Board Action

On August 11, 2005, the project was included in the CIP with a preliminary project cost of \$625,000 with funding from Revenue Financing System Bond Proceeds.

Project Description

The project will extend the present chill water loop approximately 1,700 linear feet to new construction sites. New construction for student housing and the Wellness and Recreation Sports Complex require the chill water loop to be extended.

U. T. Pan American Facilities Management personnel have the experience and capability to manage all aspects of the work.

13. U. T. Pan American: New Chiller - Amendment of the FY 2006-2011 Capital Improvement Program and the FY 2006-2007 Capital Budget to authorize institutional management

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Cárdenas that the U. T. System Board of Regents amend the FY 2006-2011 Capital Improvement Program and the FY 2006-2007 Capital Budget to authorize institutional management for the New Chiller project at U. T. Pan American as follows:

Project Number: NA
Architecturally or Historically Significant: Yes No

Project Delivery Method: Competitive Sealed Proposals

Substantial Completion Date: November 2006

Total Project Cost:	<u>Source</u>	<u>Current</u>
	Higher Education Assistance Funds	\$1,200,000

BACKGROUND INFORMATION

Previous Board Action

On August 11, 2005, the project was included in the Capital Improvement Program (CIP) with a preliminary project cost of \$1,200,000 with funding from Higher Education Assistance Funds (HEAF).

Project Description

The project will replace a 30-year old 600 ton chiller with a new 2,000 ton chiller in the Cooling Plant. Campus cooling capacity will increase to accommodate new construction and expand present needs.

U. T. Pan American Facilities Management personnel have the experience and capability to manage all aspects of the work.

14. **U. T. San Antonio: East Campus Surface Parking Phases I, II, and III - Amendment of the FY 2006-2011 Capital Improvement Program and the FY 2006-2007 Capital Budget to increase total project cost and appropriation of funds and authorization of expenditure**

RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Romo that the U. T. System Board of Regents approve the recommendations for the East Campus Surface Parking Phases I, II, and III project at The University of Texas at San Antonio as follows:

Project Number: 401-199
Architecturally or Historically Significant: Yes No
Institutionally Managed: Yes No
Project Delivery Method: Competitive Sealed Proposals

Substantial Completion Date: November 2005

Total Project Cost:	<u>Source</u>	<u>Current</u>	<u>Proposed</u>
	Revenue Financing System Bond Proceeds	\$2,594,500	\$2,594,500
	Unexpended Plant Funds (HEAF)	<u>\$ 259,450</u>	<u>\$ 388,877</u>
		\$2,853,950	\$2,983,377

- a. amend the FY 2006-2011 Capital Improvement Program (CIP) and the FY 2006-2007 Capital Budget to increase the total project cost from \$2,853,950 to \$2,983,377; and
- b. appropriate the additional funding of \$129,427 from Unexpended Plant Funds and authorize expenditure.

BACKGROUND INFORMATION

Previous Board Action

On August 7, 2003, the project was included in the CIP as an institutionally managed project with a preliminary project cost of \$2,594,500 with funding from Revenue Financing System Bond Proceeds. On September 1, 2005, the Chancellor approved an increase to the total project cost from \$2,594,500 to \$2,853,950 with additional funding of \$259,450 from Unexpended Plant Funds.

Project Description

Construction of these three separate institutionally managed projects will provide parking spaces, utilities, drainage, sidewalks, and roadway work. The Phase I project will contain 613 parking spaces, two main roadways, a bus stop, ADA parking spaces, and sidewalks and provide above ground drainage work. The Phase II project will be adjacent to the Phase I parking area and contain 200 parking spaces. The Phase III parking area will contain 310 parking spaces, a bus stop, ADA parking spaces, sidewalks, and underground drainage work and be located east of the Phase I and Phase II sites. The increase in the total project cost is being requested in order to complete the scope of work.

15. U. T. Austin: Jack S. Blanton Museum of Art Phases I and II - Request for acceptance of gifts of outdoor works of art

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor for External Relations, and President Faulkner that the U. T. System Board

of Regents accept the gifts of outdoor works of art for the Jack S. Blanton Museum of Art Phases I and II at The University of Texas at Austin in accordance with Regents' *Rules and Regulations*, Series 60101, Section 2.1 regarding outdoor works of art.

BACKGROUND INFORMATION

The Jack S. Blanton Museum of Art Phases I and II has received a work by sculptor Mr. Richard Long as a gift from Mr. Blanton's children to honor their father. Mr. Richard Long is a world-renowned British artist whose sculpture, often circles of rocks, commemorate long walks that he has taken in the British countryside. Based on a long artistic tradition of inspirational landscape artwork, Mr. Long's works are meant to provide occasions for contemplation and appreciation of nature. The sculpture is formed by pieces of slate placed in a solid circle on the ground. The work is sited by the landscape architect for the project, Mr. Peter Walker, amidst a grove of flowering trees in the southeast corner of the Blanton landscaping. U. T. Austin will cover the minimal cost of installing and maintaining the work. [See picture on Page 130 of the Supplemental Materials (Volume 2) of the Agenda Book.]

The Jack S. Blanton Museum of Art received a second donation of important outdoor landscape art work by Ms. Meg Webster from major Blanton Museum patrons, Mr. and Mrs. Michael and Jeanne Klein. Ms. Webster made the work especially for the Klein home in Houston which has been sold. The work is proposed to be reconfigured on the grounds of the Blanton Museum, adjacent to the Richard Long sculpture. All costs of installation will be paid by the Kleins. Maintenance costs, which are minimal, will be borne by the Museum. Ms. Meg Webster is a nationally known artist who works with landscaping. The work is a gentle depression in the ground lined with native plants. The proposed placement amidst a grove of flowering trees has been directed by landscape architect Mr. Peter Walker. Like the Long sculpture, the work is meant to inspire contemplation and appreciation of nature. [See picture on Page 131 of the Supplemental Materials (Volume 2) of the Agenda Book.]

16. **U. T. Austin: Honorific naming of the Power Plant Extension, the Hal C. Weaver Power Plant, and the Power Plant Annex as the Carl J. Eckhardt Power and Heating Complex**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor for External Relations, and President Faulkner that the U. T. System Board of Regents approve the naming of the Power Plant Extension, the Hal C. Weaver Power Plant, and the Power Plant Annex at The University of Texas at Austin as the Carl J. Eckhardt Power and Heating Complex.

BACKGROUND INFORMATION

U. T. Austin is requesting that the power and heating system complex be named in honor of the late Professor Emeritus Carl J. Eckhardt. The buildings included in the complex are the Power Plant Extension, the Hal C. Weaver Power Plant, and the Power Plant Annex.

Professor Eckhardt has made numerous contributions to U. T. Austin for 70 years. He graduated from U. T. Austin in 1925 with a Bachelor of Science degree in Mechanical Engineering and a Master of Science in 1930. He served as superintendent of the Power Plant beginning in 1930 and continued as superintendent of Utilities in 1937. He then served as the first director of the Physical Plant from 1950 to 1970.

Academically, he served as a mechanical engineering instructor starting in 1926, and retired as a professor of mechanical engineering in 1973. He was also an avid student of U. T. history, writing and publishing many books including *The Promise of Greatness*, *One Hundred Faithful to The University of Texas at Austin*, *In the Beginning of The University of Texas*, *Presidents of The University of Texas at Austin*, *On This Hallowed Ground*, *From Whence We Came*, and *Facts and Stories About Fifty Golden Years at The University of Texas*. He continued to work as a professor emeritus until his death in 1995.

Professor Eckhardt's accomplishments include key roles in honor societies and professional societies. He was honored with Fellow grade membership and six different Certificates of Award from The American Society of Mechanical Engineers.

In 1984, the U. T. System Board of Regents approved the creation of the Carl J. Eckhardt Fellowship in Mechanical Engineering through the Centennial Teachers and Scholars Matching Program.

The proposed naming of the power and heating system complex at U. T. Austin to recognize the distinguished contributions of Professor Carl J. Eckhardt to U. T. Austin is consistent with the Regents' *Rules and Regulations*, Series 80307, relating to honorific naming of facilities.