

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 2809

(SENATE AUTHORS: BENSON, Brown, Dahms, Limmer and Fischbach)

DATE	D-PG	OFFICIAL STATUS
03/19/2014	6385	Introduction and first reading Referred to Finance

1.1

A bill for an act

1.2

relating to capital investment; repealing authority to build a new legislative

1.3

office building; appropriating money remaining from the project to the Capitol

1.4

renovation project; amending Laws 2013, chapter 143, article 12, section 21.

1.5

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6

Section 1. Laws 2013, chapter 143, article 12, section 21, is amended to read:

1.7

Sec. 21. **LEGISLATIVE OFFICE FACILITIES.**

1.8

~~(a) The commissioner of administration may enter into a long-term lease-purchase~~

1.9

~~agreement for a term of up to 25 years, to predesign, design, construct, and equip offices,~~

1.10

~~hearing rooms, and parking facilities for legislative and other functions. The facility must~~

1.11

~~be located on the block bounded by Sherburne Avenue on the north, Park Street on the~~

1.12

~~west, University Avenue on the south, and North Capitol Boulevard on the east. The~~

1.13

~~legislative office facility must provide office accommodations for all senators and senate~~

1.14

~~staff who do not have offices in the Capitol building and on-site parking facilities for all~~

1.15

~~members and staff and disabled visitors to senate offices. A parking structure may also~~

1.16

~~be built on the state-owned land located in the block bounded by Sherburne Avenue~~

1.17

~~on the north, Park Street on the east, University Avenue on the south, and Rice Street~~

1.18

~~on the west. The commissioner of management and budget may issue lease revenue~~

1.19

~~bonds or certificates of participation associated with the lease-purchase agreement. The~~

1.20

~~lease-purchase agreements must not be terminated, except for nonappropriation of~~

1.21

~~money. The lease-purchase agreements must provide the state with a unilateral right to~~

1.22

~~purchase the leased premises at specified times for specified amounts. The lease-purchase~~

1.23

~~agreements are exempt from Minnesota Statutes, section 16B.24, subdivisions 6 and 6a.~~

~~(b) The facilities under the lease-purchase agreement are exempt from the design competition requirement under Minnesota Statutes, section 15B.10. Notwithstanding anything to the contrary under Minnesota Statutes, sections 16C.32 and 16C.33, if the commissioner of administration elects to use a design-build delivery method to design and construct one or more facilities under this appropriation, the Capitol Area Architectural and Planning Board, in cooperation with the commissioner, shall create a selection committee to act as the board under Minnesota Statutes, sections 16C.32 and 16C.33, for the design and construction of the facilities. Notwithstanding Minnesota Statutes, section 16B.33, if the commissioner elects to contract with a primary designer to design one or more facilities under this appropriation, the Capitol Area Architectural and Planning Board, in cooperation with the commissioner, shall create a selection committee to conduct the selection process in accordance with standards under Minnesota Statutes, chapters 15B, 16B, and 16C. A selection committee created under this section must contain no more than seven members, including at least three representatives designated by the senate Committee on Rules and Administration and three representatives designated by the speaker of the house.~~

(e) Notwithstanding any provision to the contrary in Minnesota Statutes, sections 16C.32 and 16C.33, if the commissioner of administration elects to use a design-build delivery method to design, construct, and equip one or more facilities and associated infrastructure to provide audio and video broadcast services for the Capitol building, and State Office Building, and a new legislative office building, if applicable, the commissioner shall create a selection committee to act as the board under Minnesota Statutes, sections 16C.32 and 16C.33, to design, build, and equip the facilities. The selected design-builder may self-perform trade work or name an audio and video subcontractor as a member of the design-builder's team. If an audio and video subcontractor is named as a member of the design-builder's team, the design-builder is not required to competitively bid the trade work. Notwithstanding Minnesota Statutes, section 16C.33, subdivision 5, paragraph (b), after obtaining and evaluating qualifications from each design-builder, in accordance with the weighted criteria and subcriteria and procedures provided in the request for qualifications, the selection committee shall select a short list of up to five proposals. If the commissioner does not receive any proposals, the commissioner may either:

(1) solicit new proposals;

(2) revise the request for qualifications and thereafter solicit new proposals using the revised request for qualifications; or

(3) request selection of a primary designer under Minnesota Statutes, section 16B.33, 16C.08, or 16C.095, and proceed with competitive bidding pursuant to Minnesota Statutes, sections 16C.25 to 16C.29.

(d) ~~The commissioner of administration may enter into a ground lease for state-owned property in the capitol area in conjunction with the execution of a lease-purchase agreement entered into under this section for any improvements constructed on that site. Notwithstanding the requirements of Minnesota Statutes, section 16A.695, subdivision 2, paragraph (b), the ground lease must be for a term equal to the term of the lease-purchase agreement, and must include an option to purchase the land at its then fair market value, if the improvements are not purchased by the state at the end of the term of the lease-purchase agreement, or at any earlier time that the lease-purchase agreement is terminated.~~

(e) ~~The commissioner of administration must not prepare final plans and specifications for any construction authorized under this section until the program plan and cost estimates for all elements necessary to complete the project have been approved by the senate Committee on Rules and Administration.~~

(f) The unencumbered, unexpended, or unobligated amount of the \$3,000,000 is appropriated in fiscal year 2014 from the general fund to the commissioner of administration for predesign and design of facilities authorized under paragraph (a) a new legislative office building is appropriated to the commissioner of administration for the Capitol renovation project. This appropriation is available for expenditure the day following final enactment and until June 30, 2015.

(g) ~~The commissioner of administration may reserve a portion of money from appropriations for office space costs of the legislature to fund future repairs for facilities constructed under the authority provided in this section. Money reserved under this paragraph must be credited to a segregated account for each building in the special revenue fund and is appropriated to the commissioner to make the repairs. When the state acquires title to a building with an account established under this paragraph, the account for that building must be abolished and the balance remaining in the account must be transferred to the appropriate asset preservation and replacement account.~~

**EFFECTIVE DATE.** This section is effective the day following final enactment.