

## Chapter 08 -- Facilities

### 08.01 Construction program

- 08.01.1 Construction procurement methods. The TTU system shall use the procurement methods set forth in Chapter 51, *Texas Education Code*, "Construction and Repair of Permanent Improvements" (as amended or modified) for all construction or renovation projects as follows:
- a. competitive bidding;
  - b. competitive sealed proposals;
  - c. design-build;
  - d. construction manager-agent (owner's representative);
  - e. construction manager-at-risk; and
  - f. job order contracts for minor repair, rehabilitation, or alterations.
- 08.01.2 Authorization. The chancellor or the chancellor's designated representative, upon the recommendation of the president, is authorized to initiate a construction project, select a design professional, select a construction manager agent (owner's representative), establish a planning budget, develop a schematic design for the project, and select the construction delivery method from Section 08.01.1, *Regents' Rules*. If appropriate for the construction delivery method selected, the chancellor or the chancellor's designated representative also may select the project design-build team for design services only or select the project construction manager-at-risk for pre-construction services only.
- 08.01.3 Major construction projects. Major construction projects include: new construction projects with a total project budget of \$1,000,000 or more; and repair and rehabilitation projects with a total project budget of \$2,000,000 or more.

- a. For major construction projects, the chancellor or the chancellor's designated representative, upon the recommendation of the president, shall obtain the approval of the board prior to proceeding with the following actions as applicable to the project:
  - (1) establish a project budget and approve a schematic design;
  - (2) obtain approval from the Texas Higher Education Coordinating Board;
  - (3) solicit and accept construction bids or proposals;
  - (4) select a construction manager-agent or general contractor, and select or confirm the previous selection of a construction manager-at-risk or design-build firm; and
  - (5) award a construction contract or execute a Guaranteed Maximum Price contract amendment.
- b. Any of the steps listed in Section 08.01.3.a may be combined in the board approval process. The board may, however, choose to retain control over any or all of the steps listed above in the board approval process.
- c. Major construction projects shall be managed by the Office of Facilities Planning and Construction unless the board approves an exception.
- d. The board may choose to employ an outside entity that supplies Owner's Representative Services (otherwise known as a "Construction Manager-Agent" or a "Construction/Program Manager," as the terms are commonly understood in the construction industry) to assist the Office of Facilities Planning and Construction.
- e. All major construction projects that have a construction cost of more than \$10,000,000 shall be conducted under the auspices of the Office of Facilities Planning and Construction but with

the assistance of an Owner's Representative unless an exception is approved by the board.

- f. The following changes to a major construction project require re-approval by the board and re-submission to the Texas Higher Education Coordinating Board:
  - (1) the total cost of a project exceeds cost estimates by more than 10 percent;
  - (2) the gross square footage is changed by more than 10 percent;
  - (3) the TTU system administration or the component institution has not contracted for the project within 18 months of the date of final approval by the board; or
  - (4) any funding source of an approved project is changed.

08.01.4 Minor construction projects. Minor construction projects include: new construction projects with a total project budget less than \$1,000,000; and repair and rehabilitation projects with a total project budget less than \$2,000,000.

- a. The chancellor or the president, as applicable, or their designated representatives, are authorized to proceed with any minor construction project.
- b. If changes in a minor construction project cause the project budget to fall within the definition of a major construction project, in accordance with Section 08.01.3, the project must be brought to the board for approval.

08.01.5 Procurement procedures. All major and minor construction projects not classified as emergency actions and construction projects not performed by TTU system personnel will be competitively procured in accordance with the methods set forth in Chapter 51, *Texas Education Code*, (as amended or modified). In addition, all such projects must be procured in accordance with TTU system policies, state purchasing regulations, and other applicable laws.

- 08.01.6 Contract execution. All construction contracts will be executed by the chancellor or the president, as applicable, or their designated representatives, as authorized by the board.
- 08.01.7 Emergency actions. If the chancellor, on the recommendation of the president, declares a major construction project to be an emergency, the board authorizes the chair of the board or the chair of the Facilities Committee to approve all necessary actions. Any emergency actions taken must be reported to the board at its next meeting.
- 08.01.8 Wage rate schedule. As required by Section 2258.021, *Texas Government Code*, (as amended or modified), the TTU system administration will determine the prevailing wage rates for the geographic areas where work is to be performed and include the appropriate schedule of prevailing wages in the specifications for each construction contract.

## 08.02 **Campus planning and enhancements**

- 08.02.1 Campus master plans and accompanying architectural and site design guidelines shall be developed, approved by the board, and guide campus development, unless an exception is approved by the board.
- a. Architectural and site design guidelines, as developed and approved by the board, shall be adhered to for TTU system campuses.
  - b. Unless an exception is granted by the board, the TTU system Campus Master Plans shall guide new construction, new infrastructure, traffic and parking modifications, necessary demolition, and enhancement of pedestrian space.
- 08.02.2 The TTU system *Architectural and Site Design Guidelines*, as modified, shall guide development on all component institution campuses, unless a specific exception is granted by the board or a component institution obtains the approval of the board to implement *Architectural and Site Design Guidelines* developed specifically for that institution.

08.02.3 Public Art Program. One percent of the total project budget of each new major construction project will be allocated for the acquisition of works of public art, unless an exception is approved by the board. These works of public art shall be located at or near the site of the construction project or, insofar as is permissible under the laws and applicable to the source of funds, the funds may be aggregated and expended pursuant to a comprehensive art and aesthetic improvement plan, as approved by the board.

08.02.4 Public Art Committee.

- a. The chancellor, in consultation with the presidents, shall appoint a Public Art Committee to recommend major public art acquisitions. The Public Art Committee shall be composed of the Vice Chancellor for Facilities Planning and Construction, the Public Art Manager, students, faculty, and staff of the TTU system, individuals from the communities surrounding the various campuses of the component institutions, and professional artists who are alumni of a component institution of the TTU system. The president of the appropriate component institution shall appoint a representative to the Public Art Committee for the selection of works of public art for inclusion in a major construction project.
- b. The Public Art Committee will review all proposed gifts of outdoor campus art and take into consideration the Campus Master Plan, the cost of installation, safety and security, maintenance requirements, and other factors. The Public Art Committee shall make a recommendation to the chancellor as to a proposed gift's appropriateness for inclusion in the TTU system's Public Art Collection.

08.02.5 Landscape Enhancement Program. One percent of the total project budget of each new major construction project will be allocated to the enhancement of exterior landscape, hardscape, and waterscape features unless an exception is granted by the board. These enhancements shall be located either at or near the site of the construction project or, insofar as is permissible under Texas Tech policies and applicable to the source of funds, the funds may be

aggregated and expended pursuant to a comprehensive art and aesthetic improvement plan, as approved by the board.

08.02.6 Combining programs. The chancellor or the chancellor's designated representative may combine the landscape enhancement and public art allocations for a single acquisition when such a combination is appropriate and necessary to meet the unique requirements of a specific project.

08.02.7 Private development. Prior approval of the board is required for the private development of TTU system land.

08.03 **Campus buildings preservation.** The board may provide for the preservation of certain buildings because of their historical significance, unique architecture, or other reason.

08.04 **TTU system building cornerstones and plaques**

08.04.1 Cornerstones. A cornerstone shall be placed on each new building and each major addition at the time it is constructed. The cornerstone should show the year the building was completed and may contain memorabilia appropriate to the time of the construction.

08.04.2 Building plaques. A plaque shall be placed on each new building, major addition, and major renovation. The plaque shall show, as of the date of the construction contract award, the following:

- a. the name of the building (see Section 08.05, *Regents' Rules*, for further information on naming of buildings and facilities);
- b. the names of the chair, the vice chair, and the other board members serving at that time, arranged in alphabetical order;
- c. the names of those occupying the following positions at that time:
  - (1) the chancellor, and
  - (2) the president of the appropriate component institution.

- d. the design-professional firm;
- e. the general contractor, the construction manager-agent, the construction manager-at-risk, or design-build firm; and
- f. the year the construction contract was awarded.

08.04.3 Recognition plaques. All recognition plaques shall comply with all operating policies governing such plaques that are in effect at the time the plaque is installed.

08.04.4 Building demolition. Upon the demolition of a building, its cornerstone and/or plaque shall be removed and held in the archives of the Southwest Collection or in another appropriate location. Upon the construction of a new building on the site of the former building, the cornerstone and/or plaque from the former building shall be placed in an appropriate location inside the new building, along with an appropriate historical notation.

#### 08.05 **TTU system buildings and facilities naming**

08.05.1 General. The board, upon the recommendation of the president and the chancellor, shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features, and other facilities within the TTU system.

- a. An individual, foundation, or corporation wishing to expand the facilities of the TTU system may have an area named after the donor provided 50% of the designated area and/or equipment therein is provided by the donor.
- b. Academic buildings shall be named on the basis of the major academic use of the building. All new buildings should be named, wherever practicable, by the time the board approves the project.
- c. Residence halls may be named for a person, provided the individual is not actively connected with the TTU system at the time the building is named.

- d. Subunits of buildings (auditoriums, offices, reading rooms, libraries, conference rooms, laboratories, and so forth) may be named after an individual who, as an employee, has provided exemplary service to the TTU system or who, as a volunteer, has avidly pursued a program of excellence for a department, school, or college or for the TTU system, the State of Texas, or the United States of America.
- e. Streets and designated landscape features may be named after individuals or groups of individuals who have brought honor and distinction to the institution.
- f. Athletic and recreational facilities or areas may be named after a donor(s) or family who wish to donate a substantial contribution toward the cost of the project (normally a minimum of 50%).

- 08.05.2 Naming. In no case shall a campus site, structure, or facility bear the name of more than two individuals or one foundation or corporation.
- 08.05.3 Name changes. The board, upon the recommendation of the president and the chancellor, shall approve any change in the name of existing or planned facilities.
- 08.05.4 Removal of a naming. In unusual and unforeseen circumstances, the board reserves the right to remove a previously-approved naming of a facility.
- 08.05.5 Board approval. All namings and name changes requiring the approval of the board must receive approval from the board before the naming or name change can be announced.
- 08.05.6 Exceptions. Exceptions to the above sections may be made by the board.

08.06 **Construction code requirements.** All construction/renovation projects shall conform to the most current edition of the following codes:

08.06.1 Adopted codes:

- a. International Building Code (IBC);
- b. International Energy Conservation Code (IECC);
- c. International Fire Code (IFC);
- d. International Plumbing Code (IPC);
- e. International Electrical Code Administration Provisions (IE-CAP);
- f. NFPA 101, Life Safety Code (including references to the National Electrical Code);
- g. National Fire Protection Association Codes and Standards;
- h. ANSI/ASME A17.1 – Safety Code for Elevators and Escalators;
- i. ANSI Z136.1 Standards for Safe Use of Lasers;
- j. State Insurance Board requirements governing fire suppression systems;
- k. United States Environmental Protection Agency regulations;
- l. ASHRAE Standard 90A, B, &C – Energy Conservation in New Building Design;
- m. ASHRAE Standard 62 – Ventilation for Acceptable Indoor Air Quality;
- n. United States Department of Health, Public Health Service regulations and guidelines;
- o. State statutes regulating, but not limited to, the following;
  - (1) asbestos;

- (2) boilers;
- (3) control of radiation;
- (4) energy consumption;
- (5) fire escapes;
- (6) fire alarms;
- (7) plumbing fixtures; and
- (8) elevators.

- p. Texas Accessibility Standards of the Architectural Barriers Act, Article 9102, Texas Civil Statutes (as amended);
- q. Americans with Disabilities Act (ADA) – Accessibility Guidelines for Buildings and Facilities (as amended); and
- r. United States Department of Labor Occupational Safety and Health Administration (OSHA) regulations.

08.06.2 Other applicable codes. Any other applicable codes deemed necessary by the project's nature shall be specified during the design process.

## 08.07 **TTU system space and facilities use**

- 08.07.1 Prioritization. With the exception of free expression activities as outlined in the component institutions' policies, TTU system space and facilities are available according to the following priorities:
  - a. regular institutional programs;
  - b. programs sponsored and conducted by the TTU system and/or a component institution's academic and administrative departments or organizations which are affiliated with such departments;

- c. activities that have as their purpose service or benefit to the TTU system community and that are sponsored by a registered student organization; and
  - d. lease of space to organizations that serve or benefit the academic, research, student life, or business functions of the TTU system.
- 08.07.2 Non-registered student groups or off-campus groups or organizations. TTU system space and facilities are only available for use by non-registered student groups or off-campus groups or organizations as set forth in the component institution's policies.
- 08.07.3 Attendance by off-campus groups at sponsored events. Off-campus persons may attend functions on TTU system property, but such functions must be sponsored by and be affiliated with a TTU system department or registered student organization.
- 08.07.4 Off-campus group guidelines. A department or registered student organization may not gain permission to use space or facilities on campus and then permit the space or facilities to be utilized by any other person, organization, or off-campus group. The penalty for violation of this provision may include forfeiture of the privilege of using TTU system space or facilities for a period of time not to exceed one year.
- 08.07.5 Non-profit organizations. Office space and other assistance including, but not limited to, utilities, telephone service, custodial service, maintenance and use of the component institution's services may be provided to non-profit organizations that exist for the purpose of supporting the educational undertaking of the TTU system or its component institutions, thereby serving a public purpose, provided the provision of such space and assistance is not otherwise prohibited by law. Organizations authorized for this support include, but are not limited to:
- a. West Texas Museum Association;
  - b. National Ranching Heritage Association;

- c. Texas Tech Alumni Association;
- d. Texas Tech Association of Parents;
- e. Texas Tech Foundation;
- f. Texas Tech University Federal Credit Union;
- g. Texas Tech Physicians Association;
- h. Angelo State University Foundation;
- i. Carr Scholarship Foundation;
- j. ASU Alumni Association;
- k. Angelo State Athletic Foundation;
- l. Houston Harte Foundation;
- m. ASU Friends of Art and Music Education;
- n. Friends of the Porter Henderson Library & West Texas Collection;
- o. College of Professional Studies Foundation in Excellence; and
- p. other organizations approved by the component institution's president.

08.07.6 Department of Athletics facilities -- TTU.

- a. The playing field at TTU--Jones AT&T Stadium, Dan Law baseball field, R. P. Fuller track facilities, Don and Ethel McLeod Tennis Center, Rocky Johnson Field; and other facilities under the control of the Department of Athletics are available for the following uses:
  - (1) Department of Athletics events;

- (2) TTU Band and spirit activities;
  - (3) High School Band Day;
  - (4) High school athletic events;
  - (5) physical education classes;
  - (6) intramural playoffs between leagues;
  - (7) academic convocations of the TTU system;
  - (8) special Olympics, para-Olympics, and similar events;  
and
  - (9) charitable events, as approved by the president.
- b. Expenses incurred. Responsibility for expenses incurred for cleaning, provision for security officers, and any other expenses will be mutually determined by the director of intercollegiate athletics and the sponsor of the activity proposing to use the facility.
  - c. Approved use. The director of intercollegiate athletic is responsible for determining whether use of the athletics facilities falls within the scope of the above policy

#### 08.08 **On-campus speakers**

- 08.08.1 **Freedoms.** No individual or group shall be denied the right to speak within the physical confines of the TTU system on the basis of the views sought to be expressed by the speaker.
- 08.08.2 **Operating policies.** Each component institution of the TTU system shall develop operating policies placing reasonable restrictions upon the time, place, and manner of on-campus speech.

## 08.09 Handbills, leaflets, and advertising material distribution

- 08.09.1 General. Individuals and organizations, other than students, faculty, staff and organizations consisting solely of members of one or more of these classes of individuals, may not distribute handbills, leaflets or any other form of advertising media on campus, except that free expression materials may be distributed in designated forum areas in accordance with the component institution's policies.
- 08.09.2 Advertising. The distribution of advertising materials by individuals and organizations, other than students, faculty, staff and organizations consisting solely of members of one or more of these classes of individuals, is not permitted on TTU system property, even if conducted through student representatives, except as may be allowed by the advertising policies of the component institution's publications, such as authorized student newspapers and year books, or the Department of Intercollegiate Athletics.
- 08.09.3 United States mail. Individuals and organizations herein before described may make advertising media available to students, faculty and staff by utilizing the United States mail.
- 08.09.4 On-campus distribution. Students, faculty, staff, and organizations consisting solely of members of one or more of these classes of individuals may distribute advertising media on campus, subject to the following:
- a. The material is not in contravention of a published component institution's policy or a state or federal law; and
  - b. The information presented is accurate.
- 08.09.5 Automobiles. Media otherwise permissible under this policy that is to be distributed by an individual or group otherwise authorized under this policy may not be distributed by placement on or around automobiles parked or in motion in the physical confine of the TTU system.
- 08.09.6 Implementation policies. The operating manuals of each component institution shall contain such policies that may be necessary to

implement the purpose of this policy or to otherwise provide for the orderly conduct of the academic institution.

## 08.10 Solicitations

- 08.10.1 Definition. "Solicitation" for the purposes of this policy is defined as requesting money, seeking a pledge or agreement to pay, taking subscriptions, or selling merchandise, tickets, or future interests.
- 08.10.2 Approved organizations. On-campus solicitations may be conducted only by students, faculty, staff or student organizations as demonstrated by a current and valid student or faculty/staff identification card.
- 08.10.3 Solicitation exception. No solicitation is permitted within the TTU system buildings except as consistent with the component institution's operating policies.
- 08.10.4 Individual buildings. Solicitations in a component institution's student union or student center facility must be conducted under the terms and conditions established by the institutional office charged with administration of that facility. The terms and conditions shall give weight to these criteria: compatibility of the solicitation activity with the educational purpose of the institution; compatibility of the solicitation activity with the orderly operation of the student union/center facility; and the availability of space.
- 08.10.5 Residence halls. Solicitations in the residence halls must be conducted entirely from within the student's room or in an assigned public area. Solicitations within the student rooms require the consent of the roommate(s), and there may be no parties or group demonstrations to advertise a product. There can be no advertising on room doors or within the residence halls. Application for permission for solicitation privileges in the residence halls should be referred to the Director of Housing and Residence Life.
- 08.10.6 On-campus solicitations by organizations not associated with the TTU system. An on-campus solicitation may be made by an organization not associated with the TTU system if the organization is sponsored by a registered student organization and if the solici-

tations are for a community-wide benefit, such as a symphony, or for recognized and established charitable purposes.

08.10.7 Further guidelines. This policy does not apply to:

- a. The canvassing of their own membership by campus organizations in money-raising projects or in the sale of tickets to programs sponsored by them to their own membership is recognized as a permissible privilege which does not require approval through the procedures established in the policy. If the request for money is made to persons other than members of the organization, such as the sale of tickets at the door to the general public, the entire solicitation is not exempted and is subject to approval as a solicitations project;
- b. Solicitations are permitted through such public agencies as the United States Postal Service and advertisements in local newspapers, which include any authorized student newspapers, are not within the jurisdiction of this policy;
- c. Occasionally departments of the component institutions of the TTU system may wish to sponsor activities that have an educational value for students at the institution. Such activities by such departments should be approved by appropriate authorities of the component institution; and
- d. Solicitations by the Texas Tech Alumni Association within the Merket Alumni Center, the Texas Tech Museum, the ASU Alumni Association within the LeGrand Alumni and Visitors Center, and contract vending machines.

08.10.8 Policy administration. The operating policies of each component institution shall contain such policies and procedures as may be necessary for the administration of this policy.

## 08.11 **Solicitations and sale of publications**

08.11.1 TTU system benefit. Solicitations for and sale of publications shall be conducted only to produce a direct and real benefit to the TTU system in fulfilling its primary educational mission.

- 08.11.2 Money raised. If the principal purpose of the solicitation project is to raise money, then the proposed use for the money so raised must be identified and the benefit to the educational, intellectual or cultural growth or development of the TTU system or its faculty, staff, or students specified.
- 08.11.3 Solicitations other than to raise money. Where the principal purpose of the solicitation is other than to raise money, a determination will be made as to whether the solicitation project will be approved based on the contribution of the project to the educational, intellectual, or cultural growth or development of the TTU system, its faculty, staff, or students.

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*Index of Chapter 08 amendments adopted since December 12, 2008:*

<u>Section</u>	<u>Date</u>	<u>Description of Amendment</u>
08.05.4	12-17-09	A new provision was added as Sec. 08.05.4 (and all remaining subsections were renumbered accordingly) to expressly state that the board may remove a previously-approved name of a facility.