



# State of Wisconsin Building Commission

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Date: January 26, 2009  
To: Building Commission Members  
From: David Helbach  
Subject: Department of Administration Request for Waiver

The Division has reviewed the waiver request by the Department of Administration for the Renovation and upgrade of the UW-Madison Charter Street Heating Plant (09A2L). The project will construct renovations and upgrades to the facility located at 117 North Charter Street in Madison, Wisconsin. The waiver of s. 16.855 under s. 13.48 (19) would allow the Department of Administration to request an Engineering, Procurement, Construction (EPC) contract for the project.

The following is a summary of the waiver review:

1. Previous history of similar waiver uses and comparable project success:

The State has not been a party to an EPC contract, but EPC was the delivery method used by MGE, when it was granted a waiver to construct the UW-Madison West Campus Co-Generation Plant.

2. Is the requesting party's information valid?

Yes. DSF concurs that an EPC contract is the appropriate means to deliver the project. This is the standard method of delivering utility construction projects of this magnitude.

3. Is the request timely?

Yes, the project is awaiting approval from the Building Commission to begin planning. This is the appropriate time to receive the request due to the lead time to prepare the necessary documents for this type of delivery method.

The EPC contract will be awarded based on a Request for Proposal (RFP).