

March 30, 2017

Senator Anna MacKinnon
The Alaska State Legislature
State Capitol, Room 516
Juneau, Alaska 99801-1182

RE: A4LE POSITION LETTER – PROPOSED SENATE BILL (SB-87) SCHOOL CONSTRUCTION ENERGY EFFICIENCY STANDARD

Dear Senator MacKinnon,

We would like to first start off in saying that our Alaska Chapter with the Association for Learning Environments (A4LE) appreciates this opportunity to provide you with a letter that outlines our positions and support of the proposed bill SB-87 School Construction Energy Efficiency Standard. As introduced, we believe the bill is a great starting point for a discussion regarding cost-effective school construction and the operational cost of schools, particularly energy costs.

The Alaska Chapter of A4LE has been considering ways to work with the State and the Department of Education and Early Development (DEED) in ***solving the fiscal crisis and continuing to improve education in Alaska***. We are hoping that SB-87 could be it! Our organization is comprised of school facility managers, educators, design professionals and suppliers throughout the State who embrace the mission of providing ***energy efficient educational facilities with lower long-term maintenance costs***. We are an advocate for ***effective educational facilities*** and serve those on a daily basis who use, plan, design, construct, maintain, equip, and operate educational facilities. We believe our unique qualifications, professional expertise and diversity of experience would be a great asset to the Alaska Legislature in working to ***reduce annual and long-term operational costs*** and to ***maximize efficiency of our state educational budget***. We ask at this time for the Legislature to postpone SB-87 until next session and offer our services to work with you on refining this important bill.

The following bullet points outline our initial perspective on the provisions contained in SB87:

- We support commissioning as a value-added process.
- We strongly support cost effective school construction but have concerns that restricting state-funded projects from receiving design awards will not achieve this goal.
- We agree, in principle, that standardization may lead to cost savings. However, standardizing building systems and components for schools involves complications that will need to be resolved.
- We support increasing a district's resources for maintenance of its schools including dedicated or shared staff from state agencies.
- We support your goal that the state would benefit from investing state resources into school designs; ownership of designs might not be the best way to accomplish this.
- We believe that effective joint-use of school facilities within communities is vital.
- We support the creation of an appropriately staffed Working Group to guide implementation of this bill upon passage.

Each of these bullet points is expanded with additional details in a section analysis of the bill below. One of our top priorities for this letter is to stress the need for more time to fully develop the various facets of this bill. We also are offering the resources of our organization to assist in this effort. In support of that offer, and prior to moving to the section analysis, we propose the following three questions as the framework for responding to the current fiscal climate and to the future health of the school facilities programs in the State of Alaska.

1. What are the essential elements of an Alaskan school facility; those that the state wants to obligate itself to assist in providing to every student?
2. How can we design and construct the most cost effective buildings—which features, systems, and components—for providing those essential elements?
3. What is the appropriate participation in the cost of providing these essential elements between the state and local entities?

For your consideration, we offer the following detailed thoughts on a few items within SB-87:

- **AS 14.11.011(b)(1)(C) Commissioning and Documentation** – We agree that the commissioning process is extremely beneficial in helping school maintenance personnel understand and achieve optimal energy efficiency. The requirements for how and when to do commissioning should be well thought out before implementing.
- **AS 14.11.017(a)(6) Design Awards** – We understand the bill states that schools which receive equal to or more than 50% state funding could not be submitted for design awards. This could be based on the thinking that design teams push for better finishes and aesthetics rather than energy efficiency or practicality. As an example of a design award program that goes beyond aesthetics is our very own A4LE Alaska Chapter annual Len Mackler Award. This award highlights community engagement, the planning process, energy conservation, innovation and integration of an educational building into the overall environment. A majority of all the other design award programs that are out there also typically follow more stringent criteria than just how a building looks. The potential for receiving a design award shouldn't be thought of as only being about aesthetics.
- **AS 14.11.104(1)(B) Standardized Options for Building and Equipment Components** – We agree the standardization of equipment and systems can, under the right conditions, provide great benefits to school districts. Because of this, many districts actively monitor and pursue these benefits on their capital projects. As an example, many districts already maintain Design Guides with standardization for the categories noted under Section 10 of the bill to simplify parts storage and training. It should be noted that applying standardization state-wide can be very difficult due to the wide-diversity of climatic conditions, temperatures, soil conditions, and transportation to remote locations, etc. throughout the state. Achieving construction cost savings through standardization, though difficult, may be possible. For the greatest success in this area, significant input would be needed from the facility managers who maintain these facilities, the engineers who design them, and the contractors who install them.
- **AS 14.11.104(3) Maintenance and Support Team** – Pooling the technical capabilities of the various entities within a village or region has great potential. This added support network will provide access to better trained technicians and preventable maintenance programs, resulting in lower annual operating costs and long term capital expenditures. One concern we have is that it notes that the “department” may enter into these contracts. We believe this would be better handled by the local School Districts who know what technical resources are available in their region and to reduce the impact on state agencies.
- **AS 14.11.104(5) Acquire or Retain Ownership of Designs** – We understand the bill states that for any school facility that receives equal to or more than 50% state funding should include the ownership of the Intellectual Property and Copyrights of the design documents. It is believed that this is to be able to re-build similar or identical buildings on additional sites, which in theory has a lot of merit. However, it should be noted that the reuse of a designer's signed documents can put the Owner and future design teams in violation of regulation 12 AAC 36.185 of the Board of Registration for Architects, Engineers, Land Surveyors, and Landscape Architects. Also, this requirement could cause the initial cost for original designs to be more than traditional costs because of the transfer of intellectual rights.

➤ **Addition of Section 10 Working Group** – The creation of a Working Group to further study and develop standardization and guidelines regarding energy efficiency and reduction of maintenance and operation costs of our schools is applauded. We believe the utilization of resources such as AHFC, AEA, and CCHRC will provide a fresh perspective on construction and may help champion higher standards for state-wide educational facilities. In our review of Section 10, we would like to offer the following for your consideration:

- We noted that the Working Group does not include School District Facility Managers. These are the individuals who maintain the hundreds of school facilities throughout the state and who would be most impacted by this bill. They know what works and what doesn't work and know what improvements can be done to practically reduce operational costs. Although superintendents are valuable resources, we recommend that "Superintendent" noted on lines 10 and 11 of Page 9 be replaced with "Facility Manager."
- The design community, inclusive of architects and engineers, will be an integral part in applying the policies created by the Working Group into practical and appropriate building systems. Architects understand all aspects of a school's planning process, program development, design and construction. They continually learn what's new, what works, and what doesn't work in learning environments. Mechanical and electrical engineers are experts in mechanical, electrical and plumbing (MEP) systems. Their knowledge is critical in creating workable and effective standardization of building systems.

For inclusion into the working group, we recommend that at a minimum an architect, a mechanical engineer, and an electrical engineer is included as representatives of the design community. These design professionals, along with other positions discussed in your bill, will create a well-rounded group of individuals qualified to handle the tough decisions that need to be made to lower costs in the design, construction, maintenance and operational costs of our state's educational facilities.

We appreciate the work you are doing for all Alaskans during these tough economic times. We know that in working together we will find solutions that not only reduce initial school design and construction costs, but can improve long term financial conditions of our schools. A4LE would like to partner with the State Legislature in the development of this important bill and would like to set up a time to meet with you, your staff, as well as any other members of the Education or Finance Committees to discuss how we can be a part of the solution! Thank you for your consideration and we look forward to talking with you further.

Sincerely,

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