

# UCCSN Board of Regents' Meeting Minutes

## June 27-28, 1956

06-27-1956

Volume 7 - Pages 249-253

### UNIVERSITY OF NEVADA REGENTS MEETING June 27 & 30, 1956

The Board of Regents met in special session in Room 205, Morrill Hall, University of Nevada on Wednesday, June 27, 1956. The meeting was called to order at 2:10 P.M. by the Chairman, who stated that the purpose of the meeting was to give Mr. Capriotti and his attorney an opportunity to appear before the Regents to state their case in the matter of awarding of bid for the Home Economics building. Present: Regents Hardy, Thompson, Ross. Mr. Grant was unable to remain over for the meeting, but had expressed the approval of the hearing. Dr. Lombardi was out of town. Present also were Dean Bertrand, Comptroller Hayden, Architect Parsons, Deputy Attorney General Priest, Engineer Poolman, Frank Capriotti and his associate Jones, Attorney Breen, representing Mr. Capriotti, and Academic Vice President Wood, representing President Stout, who was out of town.

Reporters Laxalt, Finch, Armstrong and Hulse covered the meeting.

Mr. Breen referred to the conditions set up by the University for the rejection of bids, namely (1) that the contractor would not be able to perform the contract, and (2) that it would be in the interest of the University of Nevada to reject. Since the Capriotti bid was lower than the Walker Boudwin bid for Home Economics building, a protest was being submitted on behalf of Mr. Capriotti on the ground that neither of these conditions were met in the rejection of the bid.

Mr. Ross referred to the recommendation of the Committee, and asked Mr. Poolman to present the thinking of the Committee designated to study and make recommendation to the Regents. Mr. Poolman pointed out the advantages of supervision, placing of responsibility, coordination of work, and inspection which would occur if there were one contractor for both buildings.

Following protest of these reasonings by Mr. Breen on the grounds that they are speculative, and after general discussion, it was agreed that members of the firm of Walker Boudwin be called into

the meeting.

The meeting recessed at 3:15 P.M. for this purpose.

The recessed meeting was called to order at 3:50 P.M.

Mr. Rodney Boudwin and Mr. Harry Lemon came into the meeting as representatives of the Walker Boudwin Construction Company.

Mr. Breen, Mr. Capriotti and Mr. Jones returned to the meeting, and the Regents proceeded with the hearing of the protest. Mr. Breen called attention to the working of the bid notice that bid could be made on either or both buildings, that his client had bid on one building in good faith, and had submitted a lower bid than the one accepted. He respectfully requested that the Regents reconsider in light of the fact that advantages claimed by the University were speculative.

Mr. Lemon and Mr. Boudwin discussed the bid of their firm and indicated a willingness to cooperate in any way possible and to abide by the decision of the Board of Regents, whatever it might be, in awarding the bids.

With the concurrence of the other Regents, Mr. Ross informed Mr. Breen and His client that the Board will take the matter under further consideration.

Mr. Breen, Mr. Capriotti, Mr. Jones, Mr. Lemon, Mr. Boudwin, Mr. Hayden and Mr. Poolman left the meeting at this point.

General discussion followed, and it was agreed that the meeting be continued at 9:00 A.M. on Saturday, June 30, 1956, at which time Mr. Priest will meet with the Board with research and opinion from the office of the Attorney General on the Board of Regents' position in the matter.

Schmitt and Nielsen Property - Mr. Thompson was in possession of a paper from the office of the Attorney General concerning the property owned by Mr. Schmitt and Mr. Nielsen adjoining the University Campus. The Attorney General's office asked that it be furnished with the following: (1) a preliminary title report on the property, and (2) a resolution adopted by the Board of Regents declaring the need for the University to obtain the property.

Motion by Mr. Thompson carried unanimously that a preliminary title report from the Washoe Title Insurance Company be ordered and sent directly to the Attorney General.

Motion by Mr. Hardy carried unanimously that the following resolution be adopted and forwarded to the Attorney General:

## RESOLUTION

The Board of Regents of the University of Nevada declares it essential and expedient that, due to the rapid expansion of the said University, additional means of ingress and egress to and from its present Campus and lands lying northerly of the present Campus belonging to the University, be found and provided, and that additional parking space be acquired for its use, that the parcels of land which it desires to incorporate into the present Campus, described as follows:

### Parcel 1

Beginning at a point on the easterly right-of-way line of the State highway leading N. from N. Virginia Street in the City of Reno, said point of beginning being opposite and radial from highway engineers station "H" 2 + 34 POC, said point of beginning being the NW corner of the parcel of land conveyed to Sivert Nielsen by J. N. Evans Estate Co., in deed duly recorded in Book 68 of deeds, p. 595 et. seq., records of Washoe County Nevada,

Thence S. 89 degrees 27' E., 457.70 feet to a fence running southerly;

Thence S. 11 degrees 47' E., 147.30 feet along said fence to its intersection with the fence running westerly;

Thence N. 89 degrees 27' W., 173.68 feet along said fence;

Thence N. 34 degrees 16' W., 53.61 feet along said fence;

Thence N. 89 degrees 55' W., 83.33 feet along said fence to a ditch;

Thence N. 29 degrees 41' 30" W., 75.58 feet along ditch;

Thence S. 83 degrees 54' 30" W., 137.81 feet to a point on said easterly right-of-way line;

Thence curving to the left from a tangent bearing N. 23 degrees 28' 05" W. with a radius of 480 feet, for an arc length of 58.11 feet to the point of beginning a portion of the SW quarter of the NE quarter and the SE quarter of the NW quarter of Sec. 2 T. 19 N., R. 19 E., M. D. B. & M. and containing 1.01 acres more or less.

### Parcel 2

Beginning at a point on the N. line of the property now owned by the University of Nevada, said point being S. 89 degrees 44' E., a distance of 406.3 feet from the center of Sec. 2, T. 19 N., R. 19 E., M. D. B. & M.

Thence N. 24 degrees 36' W., 160 feet;

Thence N. 39 degrees 44' W. along the northerly line of the University of Nevada property, a distance of 70.81 feet;

Thence N. 0 degrees 16' E., 111.67 feet to the northerly boundary of the Nielsen property;

Thence S. 89 degrees 27' E., 173.68 feet to the westerly boundary of the University of Nevada property;

Thence S. 11 degrees 44' E., 261.70 feet to the northerly boundary of the University of Nevada property;

Thence westerly along said property line of the University of Nevada, a distance of 90 feet to the point of beginning;

Containing an area of 0.834 acres more or less.

are best suited to afford the facilities required to relieve the traffic congestion on said Campus and to provide a safe, speedy and adequate entrance thereto and departure therefrom, that the acquisition of said parcels of land by the State of Nevada for use and occupancy by the said University for the purposes aforesaid is necessary and requisite.

The meeting recessed at 5:20 P.M. until 9:00 A.M., June 30, 1956.

The recessed meeting of the Board of Regents was called to order by the Chairman at 9:00 A.M. on Saturday, June 30, 1956. Present: Regents Hardy and Ross; Engineer Poolman, Architect Parsons, Deputy Attorney General Priest, Comptroller Hayden and Academic President Wood representing President Stout, who was out of town. Dr. Lombardi was out of town. Regents Thompson and Grant were unable to be present, but had sent the Chairman their authorization in letter form to proceed with the meeting, and to cast their votes as directed by them.

Reporters Laxalt, Armstrong and Hulse covered the meeting.

Mr. Ross stated the purpose of the recessed meeting as one to consider final action on the protest made by Mr. Capriotti and his attorney, after deliberation and further discussion.

The matter was discussed with Mr. Priest. Following general discussion, Mr. Hardy stated that the following motions were being made in order to expedite construction of the buildings, and in

the interest of harmony.

Motion by Mr. Hardy carried unanimously, with Mr. Ross casting votes for Regents Thompson and Grant, that the actions of the Board of Regents taken on June 25, 1956 in subdivision (a) page 5, accepting the bid of the Walker Bouldwin Construction Company in the amount of \$1,975,991, without any deletions, for construction of the Agriculture building and Home Economics building, and in subdivision (c) page 5, accepting the bid of Walker Bouldwin Construction Company in the amount of \$1,666, for demolishing the building known as the President's house, be reconsidered.

Motion by Mr. Hardy carried unanimously, with Mr. Ross casting votes for Regents Thompson and Grant, that the action of the Board of Regents taken on June 25, 1956, in accepting the bid of the Walker Boudwin Construction Company in the amount of \$1,975,991, without any deletions, for construction of the Agriculture building and the Home Economics building, be rescinded.

Motion by Mr. Hardy carried unanimously, with Mr. Ross casting votes for Regents Thompson and Grant, that the action of the Board of Regents taken on June 25, 1956, in accepting the bid of the Walker Bouldwin Construction Company in the amount of \$1,666 for demolishing the building known as the President's house, be rescinded.

Motion by Mr. Hardy carried unanimously, with Mr. Ross casting votes for Regents Thompson and Grant, that the bid of the Walker Boudwin Construction Company in the amount of \$1,411,381, the low bid for the Agriculture building, be accepted and that the Chairman of the Board be authorized to sign the contract.

Motion by Mr. Hardy carried unanimously, with Mr. Ross casting the votes of Regents Thompson and Grant, that the bid of Frank Capriotti in the amount of \$561,10, the low bid for the Home Economics building, be accepted and that the Chairman of the Board be authorized to sign the contract.

Motion by Mr. Hardy was approved that Comptroller Hayden, Engineer Poolman, Architect Parsons and Deputy Attorney General Priest retire to other quarters to go over the contracts to determine if they are in order.

Chairman Ross filed with the Secretary of the Board, the following papers relative to the actions taken: (a) letter from Regent Grant dated June 28, 1956, in which he authorized the Chairman to cast votes for him as directed, (b) letter from Regent Thompson dated June 29, 1956, in which he authorized the Chairman

to cast votes for him as directed, (c) letter from Walker Boudwin Construction Company dated June 28, 1956, reaffirming verbal agreement to the effect that Walker Boudwin Construction Company will not protest in any way the awarding of the Sarah Fleischmann School of Home Economics building to another contractor and separating it from the construction of the Max C. Fleischmann School of Agriculture, (d) letter copy from Edward S. Parsons to Mr. Roy Hilton dated June 28, 1956, requesting Mr. Hilton to serve as the owner's representative and inspector on the work of constructing the two buildings, (e) letter copy from Lester D. Summerfield to Mr. Roy Hilton at different address making the same request, and (f) affidavit of Albert L. Mc Ginty that inspection costs on two buildings should not be increased in the awarding of contracts to two contractors.

The Committee appointed to study and report on the contracts with the two contractors now reported that they had read the contracts carefully and recommended them to be in order and ready for signature.

Motion by Mr. Hardy carried unanimously, with Mr. Ross casting votes for Regents Grant and Thompson, that the report of the Committee be accepted and the Chairman of the Board be authorized to sign the contracts.

Chairman Ross accordingly signed the two contracts on behalf of the Board of Regents - one with Walker Boudwin Construction Company for construction of the Max C. Fleischmann College of Agriculture building for \$1,411,381, and one with Frank Capriotti for construction of the Sarah Hamilton Fleischmann Home Economics building for \$561,100.

The meeting adjourned at 9:55 A.M.