PROJECT MANAGEMENT CHARTER  
between UTSA and OFPC  
January 28, 2011

The University of Texas at San Antonio (UTSA) – Office of Facilities, and the University of Texas System – Office of Facilities Planning and Construction (OFPC) are parties to this Project Management Charter (Charter).

This Charter documents the normal interactions carried out between both parties during the delivery of OFPC-managed Capital Improvement Program (CIP) projects. This Charter has been reviewed in depth, and the terms and conditions have been mutually agreed upon by both parties.

All Phases

1. In accordance with Board of Regents (BOR) Rules and Regulations, Chapter VIII, OFPC is delegated the authority and has the responsibility for managing all aspects of procurement for major capital projects on behalf of UTSA. OFPC is responsible for management of the project, quality, budget, and schedule beginning at Facility Programming and Design and extending through Construction and Closeout.

2. The State Fire Marshal is the life safety code authority having jurisdiction (AHJ) for all state owned properties and buildings by state regulatory authority, and shall determine whether the provisions of the NFPA 101 Life Safety Code, and the provisions of all NFPA codes referenced therein as adopted by the State Fire Marshal, are met. For the purposes of plan review and fire protection system acceptance on State properties managed by UTSA, the UTSA Director of Environmental Health, Safety and Risk Management (EHS&RM), or designee, is the AHJ for all issues pertaining to NFPA 101 Life Safety Codes, including fire protection codes and standards incorporated therein by reference. OFPC is the AHJ for U.T. System construction projects for all codes other than NFPA 101 Life Safety Codes and incorporated fire protection codes as above. OFPC is responsible for facilitating resolution of conflicts and interpretations for all code issues in concurrence with UTSA and the State Fire Marshal as necessary.

3. OFPC will be responsible for managing all project processes, procedures, and meetings, except where UTSA has accepted lead responsibility.

4. UTSA will identify an Office of Facilities Point of Contact (POC) for conveyance of project information and meeting scheduling for UTSA.

5. OFPC will provide an initial response to UTSA inquiries within 48-hours.

6. OFPC will provide updated Project Information Forms and forward to UTSA by the third Tuesday of each month.

7. OFPC will ensure Project Information Forms (PIFs) and proposed Change Orders are accurate, consistent, well coordinated with UTSA, and include a brief history of Change Order line items prior to submission. UTSA will authorize project Change Orders and Request for Budget Changes (RBC) within 3 weeks of receipt from OFPC, or provide a request for specific additional information.
8. OFPC will confer with and obtain concurrence from UTSA staff on all critical issues related to projects. Critical issues for UTSA are those affecting scope of work, budget, schedule, and UTSA operations. If UTSA does not concur with a critical issue, the issue will be elevated for resolution through the Issue Resolution Ladder, established during the Preconstruction or Partnering Conference. Response time will be established through the Issue Resolution Ladder.

9. OFPC will redirect all inquiries from other UTSA-Departments to the POC. The UTSA Office of Facilities will notify all participants that all official communications between the campus and the project are to be directed to the POC. The POC will direct all official communications between the campus and the project through OFPC.

10. OFPC will notify the POC of date and time of meetings at least two days in advance of required meeting. For major meetings requiring many participants, two weeks advance notice is preferred.

Program Development Phase
11. UTSA and the OFPC Project Manager will work together in the earliest stages of project development to develop the Initial Project Planning Form and to prepare the Initial Project Information Form (PIF). Adjustments to these forms may have to be accomplished due to the development of the project.

Design Phase
12. OFPC will have representation at all project meetings.

13. OFPC architectural and engineering support will review all design documents and provide written comments. Where this cannot be provided in-house, OFPC will provide third-party independent review.

14. OFPC architectural and engineering technical staff will be represented at design review conferences. Where this cannot be achieved in-house, OFPC will provide third-party independent participation.

15. Design review comments by UTSA stakeholders will be coordinated, submitted in writing, and routed to OFPC by the POC. OFPC will respond in writing with the disposition of each UTSA comment.

Proposal/Bidding Phase
16. In order to seek excellence in administration of the HUB program and maximize competition, OFPC and UTSA senior Facilities staff will market design and construction opportunities (RFQ's and RFP's), and will solicit firms beyond the immediate market area.

Construction Phase
17. OFPC has the sole responsibility for completing capital projects within budget, and is the sole authority that can formally change contract scope, cost or schedule.

18. UTSA and OFPC will implement the Partnering philosophy in the management of capital projects.
19. OFPC will have jobsite representation to correspond with the general contractor's work schedule and during emergencies, and will notify UTSA if representation is not available.

20. OFPC will have appropriate technical jobsite representation at all critical sequences of the construction. Critical sequences would include when work for any particular system is first started, when work is to be covered up, when systems are being energized, and when work is being accepted.

21. UTSA Office of Facilities staff and EHS&RM staff will participate as appropriate in all equipment commissioning and training sessions.

22. OFPC, UTSA, and the design team will perform jobsite observations to assure compliance with the contract documents.

23. UTSA Office of Facilities staff and EHS&RM staff will adhere to the General Contractor's Visitor Policies, including personal protective equipment and safety orientation, and will sign in when entering a construction site.

24. OFPC will enforce all SWPPP requirements and will notify UTSA Office of Facilities staff of quarterly inspections conducted by the OFPC Environmental Inspector. If unscheduled, OFPC will notify UTSA Office of Facilities as soon as possible after being made aware of the event.

25. OFPC will provide UTSA Office of Facilities staff the date and time of utility outages 10 days in advance of required outage (see notes A, C).

26. OFPC will notify UTSA of date and time of contractor requested access to occupied facilities 10 days in advance (see notes A, C).

27. UTSA will review and return written submittal comments to OFPC within two weeks of receipt. Late comments may result in cost and/or schedule implications.

28. OFPC will notify UTSA of all trade coordination meetings where the design team will be present.

29. OFPC will provide UTSA with copy of current pay application and project schedule upon execution, and update the cash flow forecast by the third Tuesday of each month.

30. Construction review comments by UTSA stakeholders will be coordinated, submitted in writing, and routed to OFPC by the POC. OFPC will respond in writing with the disposition of ea9h UTSA comment.

31. OFPC and UTSA will adhere to the legislated Prompt Payment Act and will adhere to the time clock beginning upon pay application or invoice approval by OFPC.

**Construction Inspections**

32. OFPC will confirm that work is ready or will be ready for inspection prior to scheduling inspections.
33. OFPC will notify the POC of date and time of inspections at least 43 hours in advance of required inspection (see Note B).

34. OFPC will provide copies to UTSA of all inspection reports upon issuance to the contractor.

35. OFPC will conduct and document all inspections, or delegate this responsibility to the Architect/Engineer.

36. OFPC will be represented at all inspections by individuals qualified by training and/or experience in the system or element being inspected. Where this cannot be provided in-house, OFPC will provide third-party independent review.

37. Contractor will have qualified representation at all inspections.

38. Subcontractors will have qualified representation at all system inspections: Mechanical, Plumbing, Electrical, Security, Audio/Visual, and Data/Communications. Exceptions will be managed on a case by case basis.

39. All parties involved in the inspections will provide known concerns to the OFPC Construction Inspector for documentation at the time of the inspection.

40. OFPC will provide UTSA Inspection Reports and Punch Lists in which items are organized by discipline.

41. OFPC will confer with and get concurrence from UTSA Office of Facilities staff prior to passing an inspection that has previously failed. If UTSA does not agree with the decision, the issue will be elevated through the Issue Resolution Ladder (IRL).

1-Year and Extended Warranty Phase
42. OFPC will correct latent defects per the established Report of Defects process (see attached flow chart).

43. UTSA will take necessary corrective action for mission critical issues to assure continuing operations.

Reference Notes
A. UTSA will make exceptions to the number of days notice required on a case-by-case basis.

B. OFPC will have inspection delayed and rescheduled if requested by UTSA Capital Projects Group, Assistant Director. Schedule delays from inspection postponements will be processed through the project administration.

C. If date and/or time changes, the schedule can be extended by not less than 2 days. The schedule cannot be condensed.
The following parties, representing the interests of UTSA Office of Facilities and Office of EHS&RM, and OFPC, agree to the provisions detailed in this Project Management Charter. At a minimum, these provisions will be formally reviewed on an annual basis so that clarifications, changes, and additions can be implemented.

**UTSA:**

Dave Riker – Associate Vice President for Facilities  
Date: 6-14-11

Paul Goodman – Director, Engineering and Project Management  
Date: 5-26-11

Brian Moroney – Director, Environmental, Health, Safety and Risk Management  
Date: 6/1/2011

Robert Espinoza – Assistant Director, Capital Projects  
Date: 5/3/11

**OFPC:**

David Dixon – Executive Director of Program Management  
Date: 5/13/11

Richard De Leon – Program Manager  
Date: 3.10.2011

Kenneth Krejci – Senior Project Manager

Date: