

MEMORANDUM of AGREEMENT

**Establishment of a Programming and Space Use Committee
to Recommend Future Collaborative Use of the Wisconsin Union Theater and
Campus Performing Arts Venues**

In recognition of an additional \$1.2 million private gift investment that will be made in the Wisconsin Union Theater's renovation on behalf of the Arts Institute Executive Committee (permitting an expanded and new orchestra pit as well as an orchestra shell and rigging) *and* the Wisconsin Union Council's interest in expanding Registered Student Organizations' access to various campus performing arts venues, the following Memorandum of Agreement outlines the composition, duties and timeline of a ***Programming and Space Use Committee*** whose charge is to establish a mutually agreeable, long-term arrangement for the collaborative use of the aforementioned spaces by academic departments, the Wisconsin Union and Registered Student Organizations.

Composition

The Committee will be comprised of the following members:

- Wisconsin Union Theater Director, or designee (*Co-Chair*)
- Arts Institute Executive Director, or designee (*Co-Chair*)
- Two (2) students appointed by the Wisconsin Union President
- Two (2) faculty members appointed by the Provost
- Two (2) academic staff members appointed by the Vice Chancellor for Administration

Duties

The Committee will make recommendations on at least the following items, but should not refrain from forwarding recommendations on additional items as well:

- Space Use and Rental – priorities, amount of access, costs, etc.
- Staffing – sharing, collaborating, substituting, etc
- Student Internship Potentials
- Co-Production Opportunities
- Inventory – sharing, collaborating, etc.

Timeline

The Committee will provide its recommendations to the Wisconsin Union Council and the Arts Institute Executive Committee by December 31, 2012. The recommendations must be mutually agreeable to both bodies, who will act on the recommendations no later than March 1, 2013.

The undersigned agree and accept this Memorandum of Agreement as outlined:

Dean, School of Education

Date

Director, Wisconsin Union

Date

Executive Director, Arts Institute

Date

Director, Wisconsin Union Theater

Date

Wisconsin Union Council

Orchestra Pit and Shell Topic Background

General background notes

- During the planning and design phase of the Memorial Union Renovation, the student-majority shared governance group Design Committee developed and approved designs for the Wisconsin Union Theater that included an expanded orchestra pit and shell (at the 35% review level)
- When the construction packages went out to bid post-design, they had to stay within a certain bottom-line budget (\$52 million total) and so, to stay within budget, pieces of the designs were removed from the project scope by Design Committee, and then that scope was approved by Union Council.
- Campus administration contacted the Wisconsin Union and noted that the current spaces available to UW-Madison's departments of Theater, Drama, and Opera are not conducive to students learning how to stage certain kinds of opera and musical performances, the lack of which leave our programs in these areas at a significant disadvantage when it comes to rankings and accreditation.
- Earlier this summer, there had been talk about the possibility of a collaborative partnership between the Wisconsin Union Theater and these departments. Under this partnership, the UW Foundation would provide a private gift investment that will be made in the Union Theater's renovation on behalf of the Campus Arts Institute, permitting an expanded and new orchestra pit as well as an orchestra shell and rigging (which would address the space inadequacies mentioned earlier) in exchange for a collaborative use of our Union Theater space. It now seems that the UW Foundation is definitely in favor of moving forward with this private investment.
- **Basically: we now have a request from campus to bring back the original designs for the orchestra pit and shell, and gift funding to cover the construction costs.**
- We need to make sure that we maintain our responsibilities to student groups and come up with a partnership agreement that benefits all constituencies. Please see attached draft MOA.
- There will be no changes in seating in the Union Theater as a result of this, as the expansion happens below ground level.

Enumeration increase

Here is the breakdown from the 2007-2009 Biennium Capital Budget Request that approved the enumeration for Phase 1 of Memorial Union:

Memorial Union	\$ 37,000,000	(Student Segregated Fees)
	\$ 3,500,000	(PRSB*, Other Operations)
	\$ 11,500,000	(Gifts)
	<u>\$ 52,000,000</u>	

The campus typically does not alter the distribution between the sources of funds, once they are approved. So, in this case, they are asking the Board of Regents and the State Building Commission to increase the Gifts portion by \$1.2 million. The final breakdown that Union Council should consider is this:

Memorial Union	\$ 37,000,000	(Student Segregated Fees)
	\$ 3,500,000	(PRSB*, Other Operations)
	\$ 12,700,000	(Gifts)
	<u>\$ 53,200,000</u>	

**In English: Program Revenue State Bonding, or the money the Union makes from its operations.*

Orchestra Pit and Shell Construction Costs

Construction Costs

Expanded Orchestra Pit and New Pit Lift	\$500,000
Orchestra Shell and Rigging	<u>\$400,000</u>

Total Construction Costs **\$900,000**

Project Soft Costs

DSF, AE Design Fees and Misc. Supervision Fees (21.7%)	\$195,000
Contingency (11.8 %)	\$107,000
FF&E (5%)	<u>\$ 45,000</u>

Total Soft Costs **\$347,300**

Grand Total (Construction + Soft Costs) **\$1,247,300**