

EXECUTIVE DIRECTOR
Edward L. Johnson



CHAIR
Betty Reinbeck
COMMISSIONERS
Stuart S. Coleman
James S. Duncan
Victor E. Leal
Barkley J. Stuart

Texas Facilities Commission

Minutes No. 6 Minutes of the February 20, 2008, Public Meeting of the Texas Facilities Commission in Austin, Travis County, Texas.

After providing notice as required by the Texas Open Meetings Act, the Texas Facilities Commission held an open meeting at the Central Services Building, 1711 San Jacinto Boulevard, in Conference Room 402, Austin, Texas, on Wednesday, February 20, 2008, commencing at 10:05 a.m. The following were present, and Chair Reinbeck presided:

Members Present

Betty Reinbeck	Chair
Victor Leal	Commissioner
Barkley J. Stuart	Commissioner
James S. Duncan	Commissioner

Staff Present

Edward Johnson	Executive Director
Luis Arellano	Chief Financial Officer
Stephen Thomas	Deputy Executive Director for Administration
Gregg Werkenthin	Deputy Executive Director for Space Management
Mark Scott	Director, Internal Audit
Richard Ehlert	Manager, Procurement
John Goodrich	Procurement
Mike Blackwell	Marketing
Mark Widaski	Director, Facilities Design and Construction
John Schietinger	Facilities Design and Construction
Kay Molina	General Counsel
Tiffany Chinnners	Legal Services Division
Susan Maldonado	Legal Services Division
Crystal Nelson	Legal Services Division
Mark Trott	Facilities Design & Construction
Marty Walsh	Facilities Design & Construction
Ashley Holt	Leasing Division
James Barrington	Facilities Management Division
Courtney Lamza	Executive Administration
Kristen Blank	Executive Administration
Rolando Torres	Fiscal
Lois Bingham	Fiscal

Guests

A. Duane Waddill	Texas Residential Construction Commission (TRCC)
David Ancira	Texas Comptroller of Public Accounts (CPA)
Christina Bryant	TIBH Industries Inc.

I. Call to Order.

II. Approval of the Minutes from the January 29, 2008 Open Meeting. The Commission approved the minutes with the motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Duncan with some minor revisions. The minutes were revised and signed by Chair Reinbeck.

III. Public Comment. There were no public comments.

IV. Award of Lease Recommendations and Summaries.

- (1). Leases and/or Amendments Pending Execution with Commencement Date on or after February 20, 2008.

Extensions

1. #7419 – Health and Human Services Commission/Department of Family and Protective Services: Port Lavaca, TX.

Renewals

2. #10611 – Texas Department of Agriculture: Dallas, TX.
3. #6258 – Department of Assistive and Rehabilitative Services: Victoria, TX.
4. #10625 – Health and Human Services Commission/Department of Family and Protective Services: Crockett, TX.
5. #9143 – Health and Human Services Commission/Department of Family and Protective Services: Plainview, TX.
6. #1516 – Texas Department of Criminal Justice: Gatesville, TX.
7. #1517 – Texas Department of Criminal Justice: Gatesville, TX.
8. #6252 – Department of Assistive and Rehabilitative Services: Fort Worth, TX.
9. #7516 – Health and Human Services Commission: Dickinson, TX.
10. #9180 – Health and Human Services Commission/Department of Family and Protective Services: Hondo, TX.
11. #9407 – Health and Human Services Commission: Hebbronville: TX.
12. #9466 – Railroad Commission: Garland, TX.
13. #8987 – Health and Human Services Commission/Department of Family Protective Services: Rio Grande City: TX.
14. #10126 – Health and Human Services Commission/Department of Family and Protective Services: La Joya, TX.
15. #6958 – Office of the Attorney General: McAllen, TX.
16. #6297 – Department of Assistive and Rehabilitative Services: Paris, TX.

Add Space

17. #1176 – Texas Department of Insurance – Division of Workers’ Compensation: Fort Worth, TX.
18. #10289 – Health and Human Services Commission/Texas Department of Agriculture: Austin, TX.

New Leases

19. #20179 – Texas Residential Construction Commission: Austin, TX.
20. #20166 – Department of Family and Protective Services: Austin, TX.
21. #20159 – Department of Family and Protective Services: Greenville, TX.
22. #20178 – Health and Human Services Commission/Department of Family and Protective Services: Madisonville, TX.
23. #303-8-10287 – Health and Human Services Commission/Department of Family and Protective Services/Department of State Health Services: Henderson, TX.
24. #20171 – Health and Human Services Commission/Department of Family and Protective Services: Mount Vernon, TX.
25. #303-8-10009 – Texas Department of Criminal Justice: Fort Worth, TX.

Gregg Werkenthin highlighted lease renewal item #2 (10611) and stated the Texas Department of Agriculture had requested a renewal at the current location with additional space and the lessor has guaranteed space at the existing full service rate of \$15.00 should the space needed by the agency be available at the time of expansion. Mr. Werkenthin also highlighted new lease item #19 (20179) and stated that the Texas Residential Construction Commission (TRCC) has expanded operations and needs additional space. TRCC currently occupies State-owned space at 311 E. 14th Street. Mr. Duane Waddill from TRCC informed the Commission that TRCC is going from 26 FTEs to 80 FTEs and current space can not accommodate personnel. Mr. Werkenthin also highlighted new lease agenda item # 23 (303-8-10287) and stated that Health and Human Services Commission in Henderson, Texas is a consolidation of 2 leases and an addition of 8 people.

The Commission unanimously voted to approve the above leases and/or amendments with the motion to approve made by Commissioner Duncan and a second to approve the motion made by Commissioner Leal.

V. Consideration and possible action to award a construction contract for heating, ventilation, and air-conditioning additions for the Texas Department of Public Safety Fleet Operations facility, Project No. 07-006-0405, Austin, Texas. The Commission unanimously voted to approve the award of a construction contract to Young & Pratt for the amount of \$159,350 for heating, ventilation, and air-conditioning for Texas Department of Public Safety (DPS) Fleet Operations in Austin, Texas, Project No. 07-006-0405, with the motion made by Commissioner Duncan and a second to approve the motion made by Commissioner Stuart.

VI. Consideration and possible action to award a construction contract for heating, ventilation, and air-conditioning renovations for the Texas Department of Public Safety Academy building 4th and 5th floors, Project No. 07-013-0405, Austin, Texas. The Commission unanimously voted to approve the award of a construction contract to Young & Pratt for the amount of \$241,950 for DPS Academy HVAC Renovations on the 4th and

5th floors in Austin, Texas, Project No. 07-013-0405, with the motion made by Commissioner Duncan and a second to approve the motion made by Commissioner Leal.

VII. Consideration and possible action to award a contract for architectural and engineering (A/E) design for the Texas Department of Public Safety Crime Laboratory Expansion, Project No. 08-002-0405, Austin, Texas. The Commission voted to approve the award of an architectural and engineering (A/E) design contract to WHR Architects in the amount of \$1,579,500 for the Texas Department of Public Safety Crime Laboratory Expansion in Austin, Texas, Project No. 08-002-0405 with a motion to approve made by Commissioner Leal with a second to the motion made by Commissioner Stuart. Commissioner Leal and Chair Reinbeck voted yes. Commissioner Duncan voted no. Commissioner Stuart abstained. The Commission engaged in an extensive discussion regarding the interview and award process for the contract as well as the qualifications of the selected A/E firm and possible subcontractors. More specifically, questions were asked and answered concerning the subcontracting percentages and/or needs for the contract due to the complexity of the systems and designs necessary for a crime laboratory. The Commission asked staff to clarify the wording on the HUB Information for future meetings.

VIII. Consideration and possible action to award a contract for architectural and engineering (A/E) design for the Texas Department of Public Safety Crime Laboratory Expansion, Project No. 08-007-0405, Houston, Texas The Commission voted to approve the award of an architectural and engineering (A/E) design contract to Kirksey in the amount of \$1,377,000 for Texas Department of Public Safety (DPS) Crime Laboratory Expansion in Houston, Texas, Project No. 08-007-0405 with a motion to approve made by Commissioner Leal with a second to the motion made by Commissioner Stuart. Commissioner Leal and Chair Reinbeck voted yes. Commissioner Duncan voted no. Commissioner Stuart abstained. The Commission engaged in an extensive discussion regarding the interview and award process for the contract as well as the qualifications of the selected A/E firm and possible subcontractors. More specifically, questions were asked and answered concerning the subcontracting percentages and/or needs for the contract due to the complexity of the systems and designs necessary for a crime laboratory.

IX. Consideration and possible action to award a contract for architectural and engineering (A/E) design for the Texas Department of Public Safety New Area Office, Project No. 08-014-0405, Rio Grande City, Texas. The Commission unanimously voted to approve the award of an architectural and engineering (A/E) design contract to Negrete & Kolar Architects in the amount of \$271,069 for the Texas Department of Public Safety (DPS) New Area Office in Rio Grande City, Texas, Project No. 08-014-0405, with the motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Duncan.

X. Consideration and possible action to award a contract for architectural and engineering (A/E) design for the Texas Department of Public Safety Crime Laboratory Expansion, Project No. 08-018-0405, Tyler, Texas. The Commission voted to approve the award of an architectural and engineering (A/E) design contract to Brinkley Sargent Architects in the amount of \$560,000 for Texas Department of Public Safety (DPS) Tyler Crime Laboratory Expansion in Tyler, Texas, Project No. 08-018-0405, with the motion made by Commissioner Stuart and a second to approve the motion made by Commissioner Leal.

XI. Consideration and possible action to approve the sale of TFC real property, known as the Lubbock Surplus Property Warehouse #4, located at 714 34th Street, Lubbock, Lubbock County, Texas. The Commission unanimously voted to approve the sale of TFC real property known as the Lubbock Surplus Property Warehouse #4, located at 714 34th Street, Lubbock, Lubbock County, Texas, for a price at or above the current market value of the property as determined by the GLO with the motion made by Commissioner Leal and a second to approve the motion made by Commissioner Stuart.

XII. Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, and facilities operations and maintenance.

Executive Summaries

Gregg Werkenthin gave the Commissioners a monthly leasing status and informed the Commissioners that the leasing staff plans to continue with site visits. Mr. Werkenthin also informed the Commissioners that he has added a transaction summary chart to the notebook materials and will continue to include this in upcoming Commission Meetings. Mr. Werkenthin addressed the site visit to Bryan, Texas regarding the Health and Human Services Commission (HHSC) Lease #6874 and stated that all findings from this visit have been addressed and communicated with lessor.

Mark Widaski updated the Commissioners on the Facilities Design & Construction Division's Project Status Report Summary. Commissioner Duncan requested that staff add the number of projects that are on budget as well as the number of projects that are on schedule as line items on this report for future meetings. Mr. Widaski informed Commissioners that the design phase of the Stephen F. Austin Building deferred maintenance is moving forward and that the design work on the Governor's Mansion renovation has been completed and is on schedule to meet the March 2009 completion date.

Jamie Barrington from the Facilities Management Division informed the Commissioners that the preventative maintenance initiative is proving productive and that the division is continuing to define and enhance the program.

XIII. Report from the Chief Financial Officer on the January 2008 Financial Report.

Luis Arellano presented a brief financial update to the Commissioners. Mr. Arellano informed the Commissioners that the Commission is up 8 FTEs from last month totaling 309 FTEs for the agency. Mr. Arellano stated that there was a \$94,618 adjustment in the Facilities Maintenance budget for January for recovery of costs for additional services provided to tenants. Mr. Arellano noted that the State Surplus Property Program brought in almost a million dollars from cost recovery programs. Finally, Mr. Arellano noted that he will be providing utility projections at the end of the quarter.

XIV. Recess into CLOSED session pursuant to the Texas Government Code under Chapter 551 for the following purposes:

A. Pending and potential litigation, Section 551.071.

B. Personnel matters, Section 551.074.

C. The duties, roles, and responsibilities as Commissioners of the Texas Facilities Commission, Section 551.074.

D. The deliberation regarding purchase, exchange, lease, or value of real property, Section 551.072

E. All matters identified in this agenda where the commission votes unanimously that deliberation in an open meeting of business and financial issues relating to a contract being negotiated would have a detrimental effect of the position of the State in negotiations with a third person and in which the General Counsel has issued a determination in writing, Section 551.0726.

F. Any matters identified in this agenda where the Commissioners seek the advice of their attorney, Section 551.071.

Chair Reinbeck recessed the meeting at 12:25 PM for Commissioners to convene in Executive Session.

XV. Reconvene in open meeting and consider action on matters discussed in Executive Session.

Chair Reinbeck reconvened the meeting at 1:54 PM.

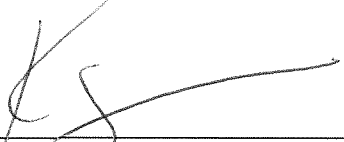
XVI. Consideration and possible action, if necessary, on any issue discussed during Executive Session.

The Commission addressed item number XI on the agenda.

XVI. Adjournment.

Chair Reinbeck adjourned the meeting at 1:57 p.m.


Reviewed and Submitted by:



Kay Molina
General Counsel

Approved by the Commission on the 19th day of March, 2008.

By:



Betty Reinbeck
Chair