

**CHAIR**  
Robert D. Thomas

**COMMISSIONERS**  
William D. Darby  
Patti Jones  
Mike Novak  
Jack W. Perry  
Betty Reinbeck



**EXECUTIVE DIRECTOR**  
Harvey Hilderbran

## **TEXAS FACILITIES COMMISSION**

Minutes No. 80: Minutes of the February 17, 2016 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 17, 2016, commencing at 10:00 a.m. Chairman Thomas presided, and Commissioners Novak, Reinbeck, Darby, Perry and Jones were also present.

### **I. Call to Order.**

Chair Thomas called the meeting to order at 10:03 a.m.

### **II. Approval of the minutes from the January 20, 2016 Open Meeting.**

The Commission voted unanimously to approve the minutes from the previous meetings with the one proposed change by Kay Molina, General Counsel, with a motion made by Commissioner Reinbeck and a second to approve the motion made by Commissioner Perry.

### **III. Public Comment.**

There was no public comment.

### **IV. Award of Lease Recommendations and Summaries.**

**Leases and/or Amendments Pending Execution with Commencement Date on or after February 17, 2016.**

#### **New Leases**

- 1. #20533 - Department of Family and Protective Services: Austin, TX.**
- 2. #303-6-20511-A - Department of Public Safety: Killeen, TX.**

#### **Replacement Leases**

- 3. #303-7-20522 - Health and Human Services Commission/Department of Family and Protective Services/Department of Assistive and Rehabilitative Services/Department of Aging and Disability Services: Port Arthur, TX.**

#### **Renewals**

- 4. #20298 - Department of Public Safety: Fort Worth, TX.**
- 5. #9094 - Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services/Department of Assistive and Rehabilitative Services: San Marcos, TX.**

The Commission voted unanimously to approve the above leases with a motion to approve made by Commissioner Reinbeck and a second to approve the motion made by Commissioner Novak.

**V. Consideration and possible action to award a construction manager-at-risk contract for the renovation of multiple floors of the Lyndon B. Johnson Building; Project No. 16-022-5091 in Austin, Texas.**

The Commission voted unanimously to approve a construction manager-at-risk contract to Balfour Beatty Construction, LLC in the amount of \$5,575,000.00 for renovation of multiple floors of the Lyndon B. Johnson Building, Project No. 16-022-5091 in Austin, Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Reinbeck.

**VI. Consideration and possible action to award an architectural/engineering professional services contract for TFC's 2016-17 deferred maintenance on the Central Services Building, Insurance Annex, John H. Reagan Building, Robert E. Johnson Building, E.O. Thompson Building, Thomas J. Rusk Building and the William P. Clements, Jr. Building, Project No. 16-014-5192 in Austin, Texas.**

The Commission voted unanimously to approve an architectural/engineering professional services contract to MEP Engineering, Inc., in the amount of \$192,500.00 for TFC's 2016-17 deferred maintenance on the Central Services Building, Insurance Annex, John H. Reagan Building, Robert E. Johnson Building, E.O. Thompson Building, Thomas J. Rusk Building and the William P. Clements, Jr. Building, Project No. 16-014-5192 in Austin, Texas, with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Darby.

**VII. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Austin State Hospital Feasibility Study, Project Number 16-028-6082 in Austin, Texas.**

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment to Page Southerland Page, LLP in the amount of \$254,180.00 for the Austin State Hospital Feasibility Study, Project Number 16-028-6082 in Austin, Texas, with a motion made by Commissioner Reinbeck and a second to approve the motion made by Commissioner Perry.

**VIII. Consideration and possible action to approve commencement of a 30 day review of the proposed 2016 Texas Capitol Complex Master Plan, Project Number 15-018-0805 in Austin, Texas.**

The Commission voted unanimously to approve commencement of a 30 day review of the proposed 2016 Texas Capitol Complex Master Plan, Project Number 15-018-0805 in Austin, Texas, with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Reinbeck.

**IX. Report from the Executive Director and executive staff on facilities design, construction projects, facilities leasing, facilities operations, maintenance, energy management, HUB and legislation.**

Mr. Harvey Hilderbran, Executive Director, informed the Commission that TFC staff will continue to provide detailed information and updates regarding the Austin Energy contract issues. In addition, he discussed plans to address the required contract manager training and certification of TFC staff and the goal of completing all training over the next 6 months.

**X. Report from the Commission Work Groups.**

There was no discussion on this item.

**XI. Report from the Chief Financial Officer on the monthly financial report update.**

Mr. Bill Monroe, Chief Financial Officer, made a presentation on the monthly financial report including the agency forecast, operating expense report, year to date budget adjustments, cost recovery programs results of operations, the revenue forecast, and the financial transactions and appropriations not included in the operating budget.

**XII. Monthly Status Report from the Director of Internal Audit.**

**a. Discussion of the Review of Contract Management (Phase One).**

Ms. Amanda Jenami, Director of Internal Audit, provided a report on the Review of Contract Management (Phase One).

**XIII. Discussion of Commission organization, policies, procedures and new initiatives.**

There was no discussion on this item.

**XIV. Evaluation of the Executive Director.**

The Commission performed a review of the Executive Director in Executive Session.

**XV. Evaluation of the Internal Auditor.**

The Commission performed a review of the Director of Internal Audit in Executive Session.

**XVI. Discussion of Commission organization, policies, procedures and new initiatives.**

There was no discussion on this item.

**XVI. Recess into CLOSED session, if necessary, pursuant to Texas Government Code Chapter 551 for the following purposes:**

- a. Pending and potential litigation, Section 551.071.**
- b. The appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director and executive management staff, Section 551.074 The duties, roles, and responsibilities as Commissioners of the Texas Facilities Commission, Section 551.074.**
- c. The deliberation regarding purchase, exchange, lease, or value of real property, Section 551.072.**
- d. 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.**
- e. Any matters identified in this agenda where the Commissioners seek the advice of their attorney, Section 551.071.**

Chair Thomas recessed the meeting to convene in Executive Session at 11:09 a.m.

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

Chair Thomas reconvened the meeting at 2:49 p.m.

**XVIII. Adjournment.**

Chair Thomas adjourned the meeting at 2:49 p.m.

**Reviewed and Submitted:**

By: \_\_\_\_\_

  
Kay Molina, General Counsel

Approved by the Commission on March 23, 2016.

By: \_\_\_\_\_

  
Robert Thomas, Chair