

CHAIR
Robert D. Thomas

COMMISSIONERS
William Allensworth
Steven D. Alvis
Patti C. Jones
Mike Novak
Rigoberto "Rigo" Villarreal



INTERIM EXECUTIVE DIRECTOR
John Raff

TEXAS FACILITIES COMMISSION

Minutes No. 106: Minutes of the September 20, 2018 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 Thursday September 20, 2018, commencing at 9:00 a.m. Chairman Thomas presided, and Commissioners Novak, Alvis, Jones, Villarreal and Allensworth were also present.

I. Call to Order.

Chair Thomas called the meeting to order at 9:00 a.m.

II. Approval of the minutes from the July 19, 2018, Open Meeting.

The Commission voted unanimously to approve the August 16, 2018 minutes with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

III. Public Comment.

There was no public comment.

IV. Consent Agenda for Award of Lease Recommendations and Summaries.

Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after September 20, 2018.

Renewals:

- 1. Lease #303-9-10160 – Department of Family and Protective Services; Health and Human Services Commission: San Antonio, TX.**

The Commission voted unanimously to approve the above Consent Agenda for Award of Lease Recommendations and Summaries with a motion to approve made by Commissioner Novak and a second to approve the motion made by Commissioner Alvis.

- V. Consideration and possible action to award a construction manager-at-risk contract for TFC's 2018-19 deferred maintenance on the Capital Complex State Office Buildings for mechanical replacement and repairs, Project No. 18-010-5193 in Austin, Texas.**

The Commission voted unanimously to approve a construction manager-at-risk contract to Flintco, LLC, in the amount of \$33,200,000.00 for the TFC's 2018-19 deferred maintenance on the Capital Complex State Office Buildings for mechanical replacement and repairs, Project No. 18-010-5193 in Austin, Texas., with a motion made by Commissioner Allensworth and a second to approve the motion made by Commissioner Villarreal. Commissioner Alvis abstained.

VI. Consideration and possible action to award a construction manager-at-risk contract for the El Paso State Office Building Mechanical & Roofing Replacements, Project No. 16-032-8415 and El Paso State Office Building Garage Repairs, Project No. 17-024-8420 in El Paso, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract to J.T. Vaughn Construction, LLC in an amount not to exceed \$1,512,079. for the El Paso State Office Building Mechanical & Roofing Replacements, Project No. 16-032-8415 and El Paso State Office Building Garage Repairs, Project No. 17-024-8420 in El Paso, Texas, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

VII. Consideration and possible action to award a construction manager-at-risk contract for the Department of Public Safety Headquarters Complex Dual Power Feed, Project No. 15-003-0405 in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract to J.T. Vaughn Construction, in the amount of \$1,687,500.00 for the Department of Public Safety Headquarters Complex Dual Power Feed, Project No. 15-003-0405 in Austin, Texas, with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Novak.

VIII. Discussion of the redevelopment of the G.J. Sutton State Office Building site in San Antonio, Texas.

1. Fiscal note update.

Ms. Shyra Darr, Director of Strategic Planning and Policy gave a brief update on the G.J. Sutton Building. Ms. Darr, informed the Commission that an outlined draft memorandum of TFC's plans to address the Sutton was circulated to all the Commissioners and that TFC is ready to proceed with issuing an IDIQ to obtain the necessary architect and engineering services for the environmental aspects that we will be needed to proceed with the demolition and remediation. Thereafter, Mr. Daniel Benjamin, Interim CFO, provided the update on the Fiscal Note for the redevelopment of the G.J. Sutton State Office Building site in San Antonio, Texas.

Commissioner Novak asked to be kept informed with every step of the RFP as well as the legislative process. Commissioner Novak also requested that this agenda item continue to be a standing item on the meeting agenda.

IX. Submittal of Draft 2018 Master Facilities Plan Report for Commission Review.

Ms. Shyra Darr, Director of Strategic Planning and Policy, provided a brief report on the 2018 Master Facilities Plan Report and informed the Commission that the final report will be brought to the Commission at the October Commission meeting.

Commissioner Alvis asked to address the leased spaces process regarding maintenance. Ms. Gayla Davis, Director of State Leasing informed the Commission that TFC has industry standard operating procedures regarding the lease space maintenance. Commissioner Alvis asked Ms. Davis to looking into updating the TFC procedures and to look into how many FTE's would be needed to inspect our leased spaces. Chairman Thomas asked Ms. Davis to include in her recommendation to the Commission what would it take to be able to manage the portfolio of following up and staying on those property managers and ensuring they're in compliance with repairing and fixing the issues that are existing in our leases spaces.

X. Discussion of Capitol Complex Phase I Development by Balfour Beatty Construction, L.L.C.

Mr. Lou Saksen, Project Executive for Balfour Beatty, gave a summary report on the budget, schedule and how the project is going for the Capitol Complex Phase 1. Mr. Saksen reported to the Commission that of the six packages that

make up the Capitol Complex Project five are actively involved, both the designers and builders are engaged in the projects and moving towards completion. Mr. Saken also informed the Commission that the newsletter has 1,331 regular subscribers.

XI. Report from the Executive Director on facilities design, construction projects, facilities leasing, facilities operations, maintenance, energy management, surplus, HUB and legislation.

1. Discussion of North Austin Complex Phase I Development by Facilities Design & Construction Project Management.

Mr. Mark Diaz, Project Manager for the North Austin Complex provided the update and informed the Commission that the project is on schedule and on budget.

2. Discussion of Texas School for the Deaf Toddler Learning Center and Central Services Center project by Facilities Design & Construction – Project Management.

Ms. Lissi Riedel, Project Manager for the School for the Deaf provided the update and informed the Commission that the project is on schedule and on budget.

3. Discussion of the Status of Leadership Training for TFC's Front Line Managers.

Mr. Troy Arambula, Manager of the Warehouse gave a brief report of the Leadership Training for TFC's Front Line Managers. TFC conducted an academy for twenty-five front line managers, there were five courses over a four-month period and everyone agrees the training was a huge success. Next Mr. Arambula brought up four of the managers to give testimonies on the leadership training. Mr. Henneke, Mr. Maric, Mr. Wooley and Mr. Coy all gave testimonials.

4. HUB Report.

Ms. Yolanda Strey, HUB Director gave a brief update on the HUB Program. Ms. Strey informed the Commission that TFC has submitted their first draft of our annual report to the Comptroller's Office. The numbers are preliminary, and the report is for work that is paid. Annual expenditures right now are 121.1 million that have been spent for FY18, 22.4 are with certified HUB's, and 3.8 are with prime HUBs. Next, Ms. Strey recognized the prime contractors for their outreach efforts to bring on subcontractors. The shortage of subcontractors is our TFC's obstacle. The HUB Program will be working on a campaign to market to the subcontractors.

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

1. Consideration and possible action to approve the Internal Audit Annual Report for Fiscal Year 2018.

The Commission voted unanimously to approve the Internal Audit Annual Report for Fiscal Year 2018, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

2. Review and discussion of the Office of Internal Audit's (OIA) Report Card for fiscal year 2018.

Ms. Donna Steadman, Audit staff member gave the review on the Office of Internal Audit's (OIA) Report Card for fiscal year 2018. Ms. Steadman informed the Commission that the Audit team has completed the audit plan 100 percent. Audit has issued 6 audit reports and the have recommended 142 recommendations. The Audit team has received outstanding ratings from our auditees as part of our post-audit surveys and have confirmed our compliance with government auditing standards through our self-assessment. Chairman Thomas personally thanked the Audit Team for all their hard work.

XIII. Report from the Commission Work Groups.

1. Energy Work Group report.

Commissioner Novak informed the Commission that it was a great Energy Work Group meeting and TFC continues to save money. The Commissioner also informed the Commission that the posting for the Commissioning Engineer replacement should be going up soon.

2. Design and Construction Work Group report.

Chairman Thomas informed the Commission that the update was given in the Capitol Complex Phase I Development update.

3. Administration Work Group report.

No report was given.

4. Surplus Work Group report.

Commissioner Jones informed the Commission that the Surplus Work group met and is working on budget numbers for a couple of FTE's for Surplus.

5. Childcare Work Group report.

Commissioner Jones informed the Commission that the Child Care Work Group met, and that Ms. Rhoda Taylor is the new Director for the Child Care Center and will be taking over in mid-September.

6. Audit Work Group report.

No report was given.

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

Mr. Daniel Benjamin, Interim CFO, provided the monthly financial report including the agency forecast, operating expense report, year to date budget adjustments, cost recovery programs result of operations, the revenue forecast, and the financial transactions and appropriations not included in the operating budget.

XV. Conduct the interview of candidates for the Executive Director

No action was taken on this agenda item.

XVI. Consideration and possible action on the hiring of an Executive Director.

No action was taken on this agenda item.

XVII. 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.

Chairman Thomas recessed the meeting to convene in Executive Session at 11:37 a.m.

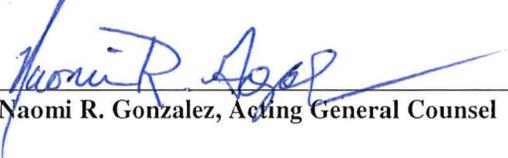
XVIII. Reconvene in open meeting and consider action on matters discussed in Executive Session.

Chair Thomas reconvened the open meeting at 12:28 p.m.

XIX. Adjournment.

Chair Thomas adjourned the meeting at 12:28 p.m.

Reviewed and Submitted:

By: 
Naomi R. Gonzalez, Acting General Counsel

Approved by the Commission on November 8, 2018.

By: 
William Allensworth, Vice Chair