

CHAIR
Betty Reinbeck

COMMISSIONERS
William D. Darby
Douglas M. Hartman
Brant C. Ince
Virginia Hermosa
Michael Novak
Alvin Shaw



EXECUTIVE DIRECTOR
Terry Keel

TEXAS FACILITIES COMMISSION

Minutes No. 58: Minutes of the November 20, 2013 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, November 20, 2013 commencing at 10:00 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Hartman, Ince, Shaw, and Novak were also present. Commissioner Darby was absent.

I. Call to Order.

Chair Reinbeck called the meeting to order at 10:04 a.m.

II. Presentation of State Service Awards.

The following employee was recognized for her state service by the Commission.

Debra Moran	Twenty years (Property Services)
Debbie Simecek	Twenty years (Parking, Special Events & Tailgating)
Rodney Trammell	Twenty years (Plant Operations)

III. Approval of the minutes from the October 16, 2013 Open Meeting.

The Commission voted unanimously to approve the minutes from the previous meeting with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Hartman.

IV. Public Comment.

There was no public comment.

V. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after November 20, 2013.

Replacement Leases

1. #20382 - Office of the Attorney General: San Antonio, TX.
2. #303-4-20386 - Texas Department of Criminal Justice: Huntsville, TX.
3. #20415 - Texas Animal Health Commission: Austin, TX.
4. #20387 - Texas Department of Criminal Justice: Seguin, TX.
5. #20388 - Texas Department of Criminal Justice: Austin, TX.

New Leases

6. #20414 - Office of the Attorney General: Austin, TX.
7. #303-4-20394 - Office of the Attorney General: San Marcos, TX.

Renewals

8. #7984 - Health and Human Services Commission/Department of Aging and Disability Services/Department of Family and Protective Services/Department of State Health Services/Department of Assistive and Rehabilitative Services: Denton, TX.
9. #10545 - Health and Human Services Commission/Department of Family and Protective Services/Department of State Health Services/State Office of Administrative Hearings/Texas Department of Criminal Justice: Corpus Christi, TX.

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

VI. Consideration and possible action to approve the award of a construction manager-at-risk contract for the Texas School for the Blind and Visually Impaired campus wide improvements, Project No. 08-013C-0771, in Austin, Texas.

The Commission voted unanimously to approve the award of a construction manager-at-risk contract to Jamail & Smith Construction, LP in an amount not to exceed \$1,775,000.00 for the Texas School for the Blind and Visually Impaired campus wide improvements, Project No. 08-013C-0771, in Austin, Texas with a motion made by Commissioner Hartman and a second to approve the motion made by Commissioner Hermosa.

VII. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas Department of Public Safety Crime Lab, Project No. 10-036-0405, in Laredo, Texas.

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment to WHR Architects in the amount of \$10,024.00 for the Texas Department of Public Safety Crime Lab, Project No. 10-036-0405, in Laredo, Texas, with a motion made by Commissioner

Hermosa and a second to approve the motion made by Commissioner Ince. TFC staff explained to the Commission that because the construction contractor was responsible for the additional cost/delays there would be no increase to the total project budget and added costs would be covered by the contractor.

VIII. Consideration and possible action to approve an architectural/engineering professional services contract amendment for deferred maintenance for the State Insurance Building and the Price Daniel Sr. Building, Project Nos. 12-022-6419 and 12-023-6420, in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment to Austin Architecture Plus Inc., dba Architects + Plus in the amount of \$305,150.00 for deferred maintenance for the State Insurance Building and the Price Daniel Sr. Building, Project Nos. 12-022-6419 and 12-023-6420, in Austin, Texas, with a motion made by Commissioner Ince and a second to approve the motion made by Commissioner Shaw.

IX. Consideration and possible action to approve a construction contract change order for deferred maintenance for the State Insurance Building, Project No. 12-022-6419, in Austin, Texas.

The Commission voted unanimously to approve a construction contract change order to the construction manager-at-risk contract with Balfour Beatty Construction in an amount not to exceed \$1,936,849.00 for deferred maintenance for the State Insurance Building, Project No. 12-022-6419, in Austin, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Shaw.

X. Consideration and possible action to approve the award of a construction manager-at-risk contract for the Texas Department of Assistive and Rehabilitative Services Building Rehabilitation; Project No. 14-029-0538, in Austin, Texas.

The Commission voted unanimously to approve the award of a construction manager-at-risk contract with Balfour Beatty Construction in an amount not to exceed \$3,899,063.00 for the Texas Department of Assistive and Rehabilitative Services building rehabilitation, Project No. 14-029-0538, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Ince.

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

Mr. Terry Keel, Executive Director gave the Commissioners a brief update on the response letter to the Travis County legislative delegation regarding correspondence dated October 31, 2013, concerning feasibility studies and master planning for state properties in the Capital area.

XII. Report on the Energy Management and Water Conservation Program.

Mr. John Raff, Deputy Executive Director of Facilities Design and Construction, gave a brief update on the Energy Management and Water Conservation Program.

XIII. Report on the Risk Management Program.

Mr. Tommy Oates, Executive Director of Risk Management gave the Commission an overview of all the duties within the Risk Management Program.

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

Ms. Diana Warner, Chief Financial Officer, provided 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.

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

- a. Review of the Federal Surplus Program.**
- b. Review of the Facilities Design and Construction Program.**
- c. Interim Management Letter #2 on the TFC Parking Program.**

Mr. Mark Scott, Director of Internal Audit, updated the Commission on the review of the Federal Surplus Program, the review of the Facilities Design and Construction Program and the Interim Management Letter #2 on the TFC Parking Program. Mr. Scott reported that the Audit Work Group did not meet this month.

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.**

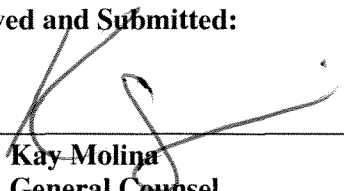
XVII. Reconvene in open meeting and consider action on matters discussed in Executive Session.

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

XIX. Adjournment.


Chair Reinbeck adjourned the meeting at 11:47 a.m.

Reviewed and Submitted:

By: 

Kay Molina
General Counsel

Approved by the Commission on January 15, 2014.

By: 

Betty Reinbeck
Chair