

CHAIR
Betty Reinbeck

COMMISSIONERS
William D. Darby
Virginia Hermosa
Brant C. Ince
Michael Novak
Jack W. Perry
Alvin Shaw



EXECUTIVE DIRECTOR
Harvey Hilderbran

TEXAS FACILITIES COMMISSION

Minutes No. 73: Minutes of the June 17, 2015 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, June 17, 2015 commencing at 10:00 a.m. Vice Chair Novak presided, and Commissioners, Hermosa, Shaw and Perry were also present. Chair Reinbeck and Commissioners Darby and Ince were absent.

I. Call to Order.

Vice Chair Novak called the meeting to order at 10:00 a.m.

II. Approval of the minutes from the April 15, 2015 Open Meeting.

The Commission deferred the vote of the minutes from the April 15, 2015 Open Meeting until the July 15, 2015 Commission meeting.

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 June 17, 2015.

Replacements

1. #20432 - Office of the Attorney General: Houston, TX.
2. #20441 - Office of the Attorney General: El Paso, TX.
3. #20477 - Texas Department of Criminal Justice: Midland, TX.

Renewals

4. #9628 - Office of the Attorney General: Beaumont, TX.
5. #8304 - Texas Department of Criminal Justice: Houston, TX.
6. #1702 - Texas Department of Criminal Justice: Huntsville, TX.
7. #20130 - Department of Family and Protective Services: Austin, TX.

Add Space

8. #8070 – Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services/Department of State Health Services/Department of Assistive and Rehabilitative Services: Eagle Pass, TX.
9. Report on the delegation to the Executive Director for the approval of Lease #20349 – Texas Commission on Environmental Quality: Sugar Land, TX, pursuant to commission policy.

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 Hermosa.

V. Consideration and possible action to approve a construction manager-at-risk contract amendment for the William P. Clements Building Roof Replacement, Project No. 14-030-6327, in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract amendment with J.T. Vaughn Construction, LLP in an amount of \$934,222.36 for the William P. Clements Building Roof Replacement, Project No. 14-030-6327 in Austin, Texas, with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Shaw.

VI. Consideration and possible action to approve a construction contract amendment for the 2010-11 deferred maintenance for the State Records Center, Project No. 10-008-6306, in Austin, Texas.

The Commission voted unanimously to approve a construction contract amendment with Trimbuilt Construction, Inc., in the amount of \$235,464.00 for the 2010-2011 deferred maintenance for the State Records Center, Project No. 10-008-6306, in Austin, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Shaw.

VII. Consideration and possible action to approve the award of a construction manager-at-risk contract for the TFC 14-15 DM Park 35 Project, Project No. 14-011-6461, in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract with Kiewit Building Group, Inc., in the amount of \$1,100,000.00 for the TFC 14-15 DM Park 35 Project, Project No. 14-011-6461, in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

VIII. Consideration and possible action to approve a construction manager-at-risk contract amendment for the TFC 2010-11, 2012-13 and 2014-15 deferred maintenance projects to repair the Sam Houston Building and the John H. Winters Complex, Project Nos. 10-014-6312, 12-014-6411, 12-015-6412, 12-016-6413, 14-026-4114, 14-027-4115 and 15-007-6053, in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract amendment with J.T. Vaughn Construction, LLC, in the amount of \$4,087,250.00 for the TFC 2010-11, 2012-13 and 2014-15 deferred maintenance projects to repair the Sam Houston Building and the John H. Winters Complex, Project Nos. 10-014-6312, 12-014-6411, 12-015-6412, 12-016-6413, 14-026-4114, 14-027-4115 and 15-007-6053 in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Perry.

IX. Consideration and possible action to approve an amendment to an assignment under an architectural/engineering indefinite delivery indefinite quantity contract for professional services for the DPS Headquarters Buildings A & E renovations, Project No. 13-007-6038, in Austin, Texas.

The Commission voted unanimously to approve an amendment to an assignment under an architectural/engineering indefinite delivery indefinite quantity contract for professional services with McKinney York Architects in an amount not to exceed \$38,500.00 for the DPS Headquarters Buildings A & E renovations, Project No. 13-007-6038 in Austin, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Perry.

X. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the 2014-15 deferred maintenance for the William B. Travis Building, Project No. 14-025-4113, and the Lyndon B. Johnson Building, Project No. 14-023-4111, in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment with Tom Green & Company Engineers Inc., in the amount of \$66,440.00 for the 2014-15 deferred maintenance for the William B. Travis Building, Project No. 14-025-4113, and the Lyndon B. Johnson Building,

Project No. 14-023-4111, in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Perry.

XI. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the LBJ 4th Floor Renovation, Project No. 14-023-4111, in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional services contract amendment with M. Arthur Gensler, Jr & Associates in the amount of \$49,612.00 for the LBJ 4th Floor Renovations, Project No. 14-023-4111, in Austin, Texas, with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Shaw.

XII. Consideration and possible action to approve a construction manager-at-risk contract amendment for the 2014-15 deferred maintenance to address accessibility corrections in the William B. Travis Building, Project Nos. 14-017-4105 and 14-025-4113, and to address HVAC and plumbing deficiencies in the Stephen F. Austin Building, Project No. 14-024-4112 and the Lyndon B. Johnson Building, Project No. 14-023-4111, in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract amendment with Flintco, LLC in the amount of \$625,000.00 for the 2014-15 deferred maintenance to address accessibility corrections in the William B. Travis Building, Project Nos. 14-017-4105 and 14-025-4113, and to address HVAC and plumbing deficiencies in the Stephen F. Austin Building, Project No. 14-024-4112 and the Lyndon B. Johnson Building, Project No. 14-023-4111, in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

XIII. Consideration and possible action to approve an amendment to an assignment under an architectural/engineering indefinite delivery indefinite quantity contract for professional services for the Capitol Complex Childcare Facility Renovation, Project No. 13-015-3301, in Austin, Texas.

The Commission voted unanimously to approve an amendment to an assignment under an architectural/engineering indefinite delivery indefinite quantity contract for professional services with Steinbomer & Associates, Architects, Inc., dba Steinbomer Bramwell & Vrazel Architects in an amount not to exceed \$15,000.00 for the Capitol Complex Childcare Facility Renovation, Project No. 13-015-3301, in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Perry.

XIV. Consideration and possible action to approve an amendment to the property management services contract with Tarantino Properties, TFC Contract No. 12-030.

The Commission voted unanimously to approve the amendment of the property management services contract with Tarantino Properties, Inc., TFC Contract No. 12-030, in the amount of \$2,384,000.00 for the renovation of finishes at the Elias Ramirez Building in Houston, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

XV. Consideration and possible action to approve a property management services contract renewal for the Tarantino Properties Inc., TFC Contract No. 12-030.

The Commission voted unanimously to approve the renewal of the property management services contract with Tarantino Properties, Inc., TFC Contract No. 12-030, in the amount of \$2,556,973.00 for a term of 2 years beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Shaw.

XVI. Consideration and possible action to approve a property management services contract renewal for Tarantino Properties, Inc., TFC Purchase Order No. 303-0-0491.

The Commission voted unanimously to approve the renewal of the property management services contract with Tarantino Properties, Inc., TFC Purchase Order No. 303-0-0491 in the amount of \$802,630.00 for a term of 2 years

beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Perry.

XVII. Consideration and possible action to approve a security guard services contract renewal for Vets Securing America, Inc., TFC Contract No. 14-018.

The Commission voted unanimously to approve the renewal of the security services contract with Vets Securing America, Inc., TFC Contract No. 14-018, in the amount of \$1,794,490.00 for a term of 2 years beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Hermosa.

XVIII. Consideration and possible action to approve a security guard services contract renewal for Vets Securing America, Inc., TFC Contract No. 13-059.

The Commission voted unanimously to approve the renewal of the security services contract with Vets Securing America, Inc., TFC Contract No. 13-059, in the amount of \$2,528,208.00 for a term of 2 years beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

XIX. Consideration and possible action to approve a plumbing services contract renewal for Beard Integrated Systems, Inc., TFC Contract No. 14-033.

The Commission voted unanimously to approve the renewal of the plumbing services contract with Beard Integrated Systems, Inc., TFC Contract No. 14-033, in the amount of \$600,000.00 for a term of 2 years beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Shaw.

XX. Consideration and possible action to approve a mechanical services contract renewal for Beard Integrated Systems, Inc., TFC Contract No. 14-066.

The Commission voted unanimously to approve the renewal of the mechanical services contract with Beard Integrated Systems, Inc., TFC Contract No. 14-066, in the amount of \$600,000.00 for a term of 2 years beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

XXI. Consideration and possible action to approve a mechanical services contract renewal for TD Industries, TFC Contract No. 14-067.

The Commission voted unanimously to approve the renewal of the mechanical services contract with TD Industries Systems, Inc., TFC Contract No. 14-067, in the amount of \$600,000.00 for a term of 2 years beginning September 1, 2015 and ending August 31, 2017, with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Hermosa.

XXII. Consideration and possible action to adopt new rule, Texas Administrative Code, Title 1, Section 111.26, entitled "Contract Monitoring Roles and Responsibilities," as proposed in 40 Tex. Reg. 1929, and to approve publication of the adopted rule in the *Texas Register*.

The Commission voted unanimously to approve the adoption of the new rule, Texas Administrative Code, Title 1, Section 111.26, entitled "Contract Monitoring Roles and Responsibilities," as proposed in 40 Tex. Reg. 1929, and to approve publication of the adopted rule in the *Texas Register*, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Perry.

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

Mr. Harvey Hilderbran, Executive Director gave the Commission an update on the appropriations bills, the FY 2015 supplemental appropriations and other legislation, that passed that will effect TFC.

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

Mr. John Raff, Deputy Executive Director of Facilities Design and Construction, informed the Commission that the energy management program continues to focus on the review of utility bills to verify their accuracy and to identify anomalies, with collaboration with FDC project management staff on deferred maintenance projects, and on the load cooperative agreement with Austin Energy. Commissioner Novak informed the Commission that the Energy Workgroup met twice since the last Commission meeting.

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

Mr. Bill Monroe, 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.

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

- a. Consideration and possible action to approve the Office of Internal Audit's Revised Fiscal Year 2015 Audit Plan.
- b. Discussion of the Review of the Federal Surplus Property Program.

Ms. Amanda Jenami, Director of Internal Audit, made a presentation on the Review of the Federal Surplus Property Program. In addition the Commission unanimously voted to approve the Office of Internal Audit Revised Fiscal Year 2015 Audit Plan, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Perry.

XXVII. 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.

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

XXIX. Adjournment.

Vice Chair Novak adjourned the meeting at 11:51 a.m.

Reviewed and Submitted:

By: 
Kay Molina, General Counsel

Approved by the Commission on September 16, 2015.

By:

Betty Reinbeck

Betty Reinbeck, Chair