

Chair
Steven D. Alvis

Commissioners
William Allensworth
Brian Bailey
Eddy Betancourt
Patti C. Jones
C. Price Wagner



Executive Director
Mike Novak

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Minutes No. 123: Minutes of the May 7, 2021 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 March 25, 2021, commencing at 9:02 a.m. Chairman Alvis called the meeting to order, and Commissioners Bailey, Wagner, Allensworth and Betancourt were present and participated remotely for the entirety of the meeting through video and audio link. Commissioner Jones was absent for this meeting.

I. Call to Order.

Chairman Alvis called the meeting to order at 9:02 a.m.

II. Approval of the minutes from the March 25, 2021 Open Meeting.

The Commission voted unanimously to approve the January 21, 2021 minutes with the motion made by Commissioner Bailey, seconded by Commissioner Allensworth. The Commissioners voted unanimously to approve the meeting minutes.

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 March 25, 2021.

New Lease (Negotiated and Existing Building):

1. Lease #20707 18,492 for 5 Years – Capital Area of Texas Regional Advisory Council and Legislative Reference Library: Austin, TX.

Renewals:

1. Lease #303-6-20501 5,713 SF for 5 Years – Comptroller of Public Accounts -Enforcement Division: San Antonio, TX.
Lease #9164 13,210 SF for 5 Years – Health and Human Services Commission, the Department of Family and Protective Services and the Department of State Health Services: El Paso, TX.
2. Lease #7114 19,393 SF for 10 Years – Health and Human Services Commission: Amarillo, TX.
3. Lease #303-7-20566 8,476 SF for 5 Years – Department of Family and Protective Services and the Department of State Health Services: Lewisville, TX.

Texas Facilities Commission

Physical address: 1711 San Jacinto Blvd, Austin, Texas 78701

★ *Planning and administering facilities in service to the State of Texas* ★

4. Lease #10294 10,400 SF for 5 Years –The Department of Family and Protective Services and Health and Human Services Commission: Liberty, TX.

Gayla Davis was present to answer any questions. There were no questions. Motion to approve by Commissioner Allensworth and Seconded by Commissioner Bailey. All in favor.

V. Consideration and possible action to approve a professional services contract amendment for TAB Technologies, in the amount of \$226,995.00, for the George H.W. Bush State Office Building (Package 4 of the Capitol Complex Phase One development), Project No. 17-016-8002 in Austin, Texas.

The 84th Legislature authorized TFC's expenditure of \$581,223,536 in revenue bond funding towards the Capitol Complex Phase I development through House Bill 1, the General Appropriations Act. These projects that include two new office buildings, associated parking and utility infrastructure improvements on the capitol complex are among the approved strategies towards this authorization. The 1801 and 1601 building construction includes the tenant improvements (interior finish out) of each building in preparation for occupancy. This amendment will provide for additional professional testing, adjusting and balancing services for tenant improvement design services for 358,000 sf of office space for the 20 State agencies in Levels 1 through 14 of the 1801 Congress Office Building. (At initial contract negotiation and execution, tenants were not known and negotiation for tenant improvement test and balance services was deferred to a later date when the scope could be defined.) Headquartered in Austin, Texas since 2002, with offices in Dallas, Waco, and Houston, TAB Technologies is an established testing, adjusting and balancing provider, with experience in hospitality, healthcare, schools, and government buildings. They have an established working relationship with the Texas Facilities Commission of over 15 years through IDIQ contracts.

Commissioner Wagner made the motion to approve, which was seconded by Commissioner Allensworth. The Commissioners voted unanimously to approve the award of this amendment.

VI. Consideration and possible action to approve an amendment to a construction manager-at-risk contract for Veliz Construction in the amount of \$609,147 for TFC's 2016-17 and 2020-21 deferred maintenance addressing repairs to architectural, MEP and life safety systems on the E.O. Thompson Building, Project No. 20-001-5161 in Austin, Texas.

The 84th Legislature authorized TFC's expenditure of \$217,156,348.00 in general revenue funding towards deferred maintenance capital improvements through House Bill 1, the General Appropriations Act. Additionally, the 86th Legislature authorized expenditure of \$120,117,569 in general revenue funding towards deferred maintenance capital improvements through House Bill 1, the General Appropriations Act. This project is among the approved strategies towards the two funding authorizations. The EO Thompson Building is a ten-story office building comprising approximately 68,000 gross square feet. It's located across the street to the south of the Governor's mansion at 920 Colorado Street in Austin Texas. It houses the Texas Department of Licensing and Regulation, the Texas Commission on the Arts, offices for Texas Women's University and a contingent of the Texas Department of Public Safety. This amendment will provide construction management and construction services for the EO Thompson (THO) Building deferred maintenance. Project scope includes but is not limited to waterproofing, architectural, MEP and life safety systems and other necessary incidental scopes of work related or made necessary by the correction of these deficiencies. The amendment represents scopes of work that are consistent with

the original solicitation and conform with the strategies of the legislative funding requests. Veliz Construction is a competent, proven regional Construction Manager with offices in New Mexico and Texas. They are also a State of Texas HUB Contractor, Federal HUB Zone Certified and City of Austin Small Business Certified. They have extensive experience in commercial renovation projects in occupied buildings. They have well developed systems in place for completing projects within budget and schedule constraints. Their relationships with local subcontractors will ensure best value for this project. John Raff, TFC's Director of Facilities Design and Construction, discussed an amendment to a construction manager-at-risk contract for Veliz Construction for TFC's 2016/17 and 2020/21 deferred maintenance addressing repairs to architectural, MEP and life safety systems on the E.O. Thompson building.

Commissioner Betancourt moved to approve, and Commissioner Allensworth seconded the motion. The Commissioners voted unanimously to approve the amendment for Veliz Construction.

VII. Status Report from Internal Audit

Paige Buechley, Director of Internal Audit Texas Department of Information Resources, summarized the Independent Peer Review stating that TFC received the Highest Rating out of three possible ratings.

Sonya Etheridge was present to go over audit report.

VIII. Discussion of Major Projects

1. Capitol Complex report given by Lou Saksen of Balfour Beatty.
Lou Saksen of Balfour Beatty gave an update on the status and budget for the multiple packages of the project.
2. North Austin Complex.
John Raff, TFC Director of FDC, discussed the progress on the North Austin Complex.
3. Texas School for the Deaf.
John Raff gave a report on the project

IX. Report from Commission Work Group

1. Commissioner Wagner deferred to Lou Saksen's report.
2. Report for Surplus Work Group.
Mike Novak TFC Executive Director stated that schedules are tough, and he appreciates everyone's efforts. On February 11th there was a tour with Commissioner Jones and Commissioner Allensworth during the beginning of the winter storm. Mike Novak stated that the Surplus had to be closed due to COVID 19 during February but reopened in March. The Surplus has also been opened to Veteran owned small business on March 15, 2021.

X. Report from TFC Executive Director, Mike Novak

Mike Novak opened about the bad winter storm that hit Texas in February 2021. He stated that we had all hands-on deck which showed the soul and essence of the organization. It showed how

capable we are in a time or crisis. We improvised and got things done during and after the storm. Communication was critical and it is the number one challenge.

Mike Novak thanked the FMO division, Marty Martinez, for being soldiers during the storm. Cots and food were provided for workers. Marty Martinez even went and picked up workers for the Capitol Complex. We got it done and performed with excellence.

Mike Novak stated that everything is operational now. The cost will be approximately three million dollars (but do not hold him to that number). The biggest concern is the Hobby building because of the sprinkler system that broke and leaked water from one of the higher floors all the way down to the bottom floor. It caused considerable damage. Since the space will soon be evacuated and some of the agency was already displaced the discussion has been not to sink a lot of money into the building to get it to pristine shape but to get it into good shape where everyone is safe while working there until they are moved permanently.

This has brought up the discussion about Flex Space and its importance to us.

Mike Novak talked about the Legislative Session. Legislative session is chaotic, and it always has been. There have been a lot of disruptions with the storm issue and the ERCOT issue. TFC's funding request are trending favorable as it has passed through "key gates". We have a solid foundation. The Legislative is slowing down because of Federal money from FEMA and CARES Act. So, this is a work in progress. There have been several sub-committees that Mike Novak has had to testify on. There have been lots of request for testimony for Bills. TFC's opinion about impact resource.

Mike Novak spoke on Fiscal Notes. We must do analysis about the cost to our agency. Added 25 to 35 percent more work. Our folks are working hard. We have quality material.

Mike Novak talked about Housekeeping. On May 7, 2021 there will be a Topping Out Ceremony at 1801 Congress Ave. Possible schedule is to cancel the April Commission Meeting and schedule it for May 7th. The May 7, 2021 Commission Meeting will be in person. Mike Novak talked to Commissioner Wagner about the April Construction Group meeting and it will be scheduled for April 28, 2021 via zoom.

Videos were shown from JD Dunn and Flintco Construction.

XI. Adjournment.

Chairman Alvis adjourned the open meeting at 10:05 a.m.

Reviewed and Submitted:

By:


Stephen M. Foster, General Counsel

Approved by the Commission on May 7, 2021

By:


Steven D. Alvis, Chair