

EXECUTIVE DIRECTOR
Terry Keel



Texas Facilities Commission

CHAIR
Betty Reinbeck

COMMISSIONERS
Barkley J. Stuart
Malcolm E. Beckendorff
William D. Darby
Douglas M. Hartman
Brant C. Ince
Virginia Hermosa

Minutes No. 25 Minutes of the January 20, 2010, 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, January 20, 2010, commencing at 10:01 a.m. The following were present, and Chair Reinbeck presided:

Members Present

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| Betty Reinbeck | Chair |
| Derek Darby | Commissioner |
| Doug Hartman | Commissioner |
| Virginia Hermosa | Commissioner |
| Brant Ince | Commissioner |

Members Absent

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| Barkley Stuart | Vice-Chair |
| Malcolm Beckendorff | Commissioner |

Staff Present

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| Terry Keel | Executive Director |
| Catherine Camp | Director of Human Resources |
| Lisa Hardin | Executive Assistant |
| Tiffany Harry | Legal Services Division |
| Tom Forrest | Deputy Executive Director, Facilities Design & Construction |
| Kay Molina | General Counsel |
| Mark Scott | Office of Internal Audit |
| Luis Arellano | Chief Financial Officer |
| Gregg Werkenthin | Deputy Executive Director, Space Management & State Leasing Services |
| John Goodrich | Internal Procurement |
| Myra Beer | Internal Procurement |
| Jamie Barrington | Facility Maintenance |
| Michael Phillips | Chief Information Officer, Information Technology |
| Bethany Bounds | Human Resources |
| Crystal Nelson | Legal Services Division |
| Lisa Callem-Lindstrom | Legal Services Division |
| Susan Maldonado | Legal Services Division |
| Kristy Fierro | Office of Internal Audit |
| Trish Perme | Office of Internal Audit |

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| Mike Blackwell | Publications & Media |
| Jorge Ramirez | Deputy Executive Director, Building Operations, Maintenance & Energy Management Division |
| Bill Bonham | Facilities Design & Construction |
| Mary Jo Ingram | Facilities Design & Construction |
| John Raff | Facilities Design & Construction |
| Thursten Simonsen | Facilities Design & Construction |
| David Mascorro | Facilities Design & Construction |
| Peter Maas | Facilities Design & Construction |
| Rebecca Underwood | Facilities Design & Construction |
| Mark Trott | Facilities Design & Construction |
| Mike Holeman | Facilities Design & Construction |
| Ashley Cuellar | Space Management & State Leasing Services |
| Gayla Davis | Space Management & State Leasing Services |
| Bob Bugnand | Space Management & State Leasing Services |
| Alex Gutierrez | Federal & State Surplus |

Guests

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|---------------------|--|
| Al York | Principal, McKinney York |
| Michelle Rossomando | Principal, McKinney York |
| Justin Deming | Project Manager, Harvey Cleary Builders |
| Beth Guilot | Principal, Graeber, Simmons & Cowan |
| Bonnie Gray | Principal, Graeber, Simmons & Cowan |
| Jim Smith | Manager, Teacher Retirement System (TRS) |

I. Call to Order.

Chair Reinbeck called the meeting to order at 10:01 a.m.

II. Presentation of Service Awards.

The following individuals were recognized for their state service by the Commission:

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| Terry Middleton | Five years (Energy Management, Maintenance and Plant Operations) |
| Rebecca Sanchez | Five years (Fiscal) |
| Rene Trevino | Ten years (Space Management and State Leasing) |
| James Hickman | Ten years (Energy Management, Maintenance and Plant Operations) |
| Luis Arellano | Twenty years (Executive, Fiscal) |
| Eva Dechene | Twenty years (Administration, Records Management) |
| Freddie Moseley | Thirty five years (Property Management, Custodial) |

III. Approval of the Minutes from the December 16, 2009 Open Meeting.

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

IV. Public Comment.

There were no public comments.

V. Award of Lease Recommendations and Summaries.

Lease and/or Amendments Pending Execution with Commencement Date on or after January 20, 2010.

Add Space

1. #20209 – Department of Family and Protective Services: Houston, TX.

New Lease

2. #303-9-12065 – Department of Assistive and Rehabilitative Services: San Antonio, TX.

3. #20223 – Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services: Livingston, TX.

4. #303-0-10520 – Health and Human Services Commission/Department of Aging and Disability Services: Amarillo, TX.

The Commission unanimously voted to approve the above leases and/or amendments with the motion to approve made by Commissioner Darby and a second to approve the motion made by Commissioner Hartman.

VI. Consideration and possible action to approve the award of Indefinite Delivery Indefinite Quantity Contracts (IDIQs) for Professional HVAC Test & Balance Services. The Commission unanimously voted to approve the award of two (2) Indefinite Delivery Indefinite Quantity Contracts (IDIQs) for Professional HVAC Test & Balance Services to Airflow Technologies, Inc. and TAB Technologies with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Ince.

VII. Consideration and possible action to approve the award of Indefinite Delivery Indefinite Quantity Contracts (IDIQs) for Professional Fire Protection Engineering Services. The Commission unanimously voted to approve the award of three (3) Indefinite Delivery Indefinite Quantity Contracts (IDIQs) for Professional Fire Protection Services to Schirmer Engineering Corp., Hughes Associates, Inc. and Rolf Jensen & Associates, Inc. with a motion to approve made by Commissioner Hermosa and a second to approve the motion made by Commissioner Hartman. These contracts will be initiated with no monetary value and initiated by these firms on an assignment basis as needs arise in accordance with Commission Policy.

VIII. Consideration and possible action to approve the award of Indefinite Delivery Indefinite Quantity Contracts (IDIQs) for Professional Environmental Engineering Services. The Commission unanimously voted to approve the award of seven (7) Indefinite Delivery Indefinite Quantity Contracts (IDIQs) for Professional Environmental Engineering Services to Terracon Consultants, MACTEC Engineering & Consulting, Sun City Analytical, Bureau Veritas North America, TGE Resources,

Professional Service Industries, and ATC Group Services with a motion to approve made by Commissioner Darby and a second to approve the motion made by Commissioner Ince. These contracts will be initiated with no monetary value and initiated by these firms on an assignment basis as needs arise in accordance with Commission Policy.

- IX. Consideration and possible action to approve a construction contract award for the Texas School for the Blind and Visually Impaired, Fabric Covered Walkway Canopies with Metal Structure, Project No. 08-013E-0771, Austin, Texas.** The Commission unanimously voted to approve a construction contract award to Harvey-Cleary Builders (D.E. Harvey Builders, Inc.) in the amount of \$1,139,546 for the Texas School for the Blind and Visually Impaired (TSBVI) Campus, Fabric Covered Walkway Canopies, Project No. 08-013E-0771, Austin, Texas with a motion to approve made by Commissioner Ince and a second to approve the motion made by Commissioner Darby.
- X. Consideration and possible action to approve an architectural and engineering (A/E) design contract amendment for the Texas School for the Blind and Visually Impaired Campus Renovations Stage III, Project No. 08-013F-0771, Austin, Texas.** The Commission unanimously voted to approve an architectural and engineering (A/E) design contract amendment to Graeber Simmons & Cowan, Inc. in an amount not to exceed \$700,365 for the Texas School for the Blind and Visually Impaired (TSBVI) Campus Renovations Stage III, Project No. 08-013F-0771, Austin, Texas with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Hermosa.
- XI. Consideration and possible action to approve a construction contract change order for the Teacher Retirement System, Elevator and Security Upgrades, Project No. 08-060-0323, Austin, Texas.** The Commission unanimously voted to approve a construction contract change order in an amount not to exceed \$842,215 for the Teacher Retirement System (TRS) Elevator and Security Upgrades, Project No. 08-060-0323, Austin, Texas with a motion to approve made by Commissioner Hermosa and a second to approve the motion made by Commissioner Hartman.
- XII. Consideration and possible action to approve an Architecture/Engineering Indefinite Delivery Indefinite Quantity (IDIQ) contract assignment for professional services in association with elevator replacements, repairs and retrofits for the following projects in Austin, Texas: Insurance Annex, Project No. 10-009-6307; John H. Winters Bldg., Project No. 10-010-6308; William B. Travis Bldg., Project No. 10-011-6309; Thomas J. Rusk Bldg., Project No. 10-012-6310; and Park 35 Campus, Project No. 10-013-6311.** The Commission unanimously voted to approve an Architecture/Engineering Indefinite Delivery Indefinite Quantity (IDIQ) contract assignment award to McKinney York Architects in an amount not to exceed \$481,710 for elevator replacements, repairs, and retrofits for the following buildings in Austin, Texas: Insurance Annex, Project No. 10-009-6307; John H. Winters Bldg., Project No. 10-010-6308; William B. Travis Bldg., Project No. 10-011-6309; Thomas J. Rusk Bldg., Project No. 10-012-6310; and Park 35 Campus, Project No. 10-

013-6311, with a motion to approve made by Commissioner Darby and a second to approve the motion made by Commissioner Ince.

- XIII. Consideration and possible action to approve a Mechanical, Electrical, and Plumbing Indefinite Delivery Indefinite Quantity (IDIQ) contract assignment for the G.J. Sutton Building Interior Renovations, Project No. 10-018-6316, San Antonio, Texas.** The Commission unanimously voted to approve a Mechanical, Electrical, and Plumbing Indefinite Delivery Indefinite Quantity (IDIQ) contract assignment to Stanley Consultants, Inc. in an amount not to exceed \$341,500 for the G.J. Sutton Building Interior Renovations, Project No. 10-018-6316, San Antonio, Texas with a motion to approve made by Commissioner Ince and a second to approve the motion made by Commissioner Hartman contingent upon submission of a completed HUB Subcontracting Plan (HSP).
- XIV. Consideration and possible action to approve an Architecture/Engineering contract for professional services in association with a Statewide Facilities Assessment for the Texas Department of Public Safety.** The Commission unanimously voted to approve an Architecture/Engineering contract to Parsons Commercial Technology Group, Inc. in an amount not to exceed \$330,000 for professional services to complete a Statewide Facilities Assessment for the Texas Department of Public Safety with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Ince.
- XV. Consideration and action to approve publication of notices in the Texas Register related to completion of agency rule review of Title 1, Chapter 116 (Texas Facilities Commission; Property Management Division) of the Texas Administrative Code and proposal to readopt Subchapter A with amendment, to repeal Subchapter B, and to create a new Chapter 117.** The Commission unanimously voted to approve publication in the Texas Register a notice related to the completion of the Commissioner's review of Title 1, Chapter 116 (Texas Facilities Commission; Property Management Division) of the Texas Administrative Code and the rule proposal to readopt Subchapter A with amendment, repeal Subchapter B, and create a new Chapter 117 with a motion to approve made by Commissioner Hermosa and a second to approve the motion made by Commissioner Darby.
- XVI. Discussion and possible action on potential participation in the State Energy Conservation Office Energy-Saving Loan programs and response to the Request for Application for the Building Efficiency and Retrofit Revolving Loan Program of the Texas Comptroller of Public Accounts.** Jorge Ramirez (Energy Management) updated the Commission on the status of the three (3) loan proposals submitted in response to the Request for Application for the Building Efficiency and Retrofit Revolving Loan Program of the Texas Comptroller of Public Accounts (CP
- XVII. Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, facilities operations and maintenance, energy management, and legislative update.** Terry Keel updated

the Commission on a January 15, 2010 letter to all state agencies from the Governor, Lieutenant Governor, and the Speaker of the House requesting a review of all planned expenditures for the remainder of the biennium and submission of a plan by February 15, 2010 to the Legislative Budget Board identifying savings in priority increments totaling 5 percent of the general revenue and general revenue-dedicated appropriations for the 2010-11 biennium.

XVIII. Report from the Chief Financial Officer on the monthly financial report update. Luis Arellano provided the monthly financial report including the agency forecast, monthly operating expenditures, year-to-date budgeted adjustments, cost recovery program results, revenue forecast, and a list of financial transactions that are not included in the operating budget with no major changes. Two budget adjustments within the other operating expense category were made to bring cost recovery revenue to par with the budget. Mr. Arellano also informed the Commission that the TFC currently has 329 FTE's (Full Time Employees) as of December 31, 2009.

XIX. Monthly Status Report from Internal Auditor, Mark Scott.

A. Operational and Procedural Review of TFC's State Surplus Property Program. Mark Scott gave the Commission a brief overview of the results of the Operational and Procedural Review of TFC's State Surplus Property Program including a review of the overall program for efficiency and effectiveness, a review and evaluation of controls over cash handling and inventory management, and a review of the processes over the deposit and disbursement of funds after the sale of property.

XX. Recess into CLOSED session, if necessary, pursuant to the Texas Government Code under 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.**
- C. The duties, roles, and responsibilities as Commissioners of the Texas Facilities Commission, Section 551.074.**
- D. The deliberation regarding purchase, exchange, lease, or value of real property, Section 551.072 .**
- E. 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.**
- F. Any matters identified in this agenda where the Commissioners seek the advice of their attorney, Section 551.071.**

Chair Reinbeck recessed the meeting at 11:31 a.m. and the Commission went into Executive Session.

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

Chair Reinbeck reconvened the meeting at 1:42 p.m.

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

No actions were taken as a result of Executive Session.

XXIII. Adjournment.

Chair Reinbeck adjourned the meeting at 1:43 p.m.

Reviewed and
Submitted by:



Kay Molina
General Counsel

Approved by the Commission on the 17th day of February, 2010.

By:



Betty Reinbeck
Chair