

CHAIR
Robert D. Thomas

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



INTERIM EXECUTIVE DIRECTOR
John Raff

TEXAS FACILITIES COMMISSION

Minutes No. 100: Minutes of the March 21, 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 Wednesday March 21, 2018, commencing at 9:00 a.m. Chairman Thomas presided, and Commissioners Novak, Jones, Alvis, 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 February 28, 2018, Open Meeting.

The Commission voted unanimously to approve the February 28, 2018 minutes with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Villarreal.

III. Public Comment.

There was no public comment.

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

Leases and/or Amendments Pending Execution on or after March 21, 2018.

Renewals:

1. Lease #20271 – Health and Human Services Commission/Department of Family and Protective Services/Department of State Health Services/Texas Workforce Commission/Department of Public Safety: Kingsville, TX.
2. Lease #303-3-20323-A – Department of Family and Protective Services: El Paso, TX.
3. Lease #303-8-10985 – Department of Family and Protective Services: McAllen, 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 Jones and a second to approve the motion made by Commissioner Alvis.

V. Consideration and possible action to award an architectural and engineering professional services contract for the Capitol Complex Phase I Development, the 1601 Congress Building (Package 5), Project No. 17-017-8020 in Austin, Texas.

Agenda Item V. was pulled from the March meeting agenda.

VI. Consideration and possible action to approve an engineering professional services contract for electrical and mechanical systems commissioning for the Capitol Complex Phase I Development, Project No. 16-018B-8001, in Austin, Texas.

The Commission voted unanimously to award an engineering professional services contract to Sebesta, Inc. dba NV5 in the amount of \$2,959,869.00 for the for electrical and mechanical systems commissioning for the Capitol Complex Phase I Development, Project No. 16-018B-8001, in Austin, Texas., with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Alvis.

VII. Consideration and possible action to award an architectural and engineering professional services contract for the multiple floors renovation at the Lyndon B. Johnson State Office Building, Project No. 18-008-5093 in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional services contract to M. Arthur Gensler, Jr. & Associates, Inc., in the amount of \$977,135.00 for renovation of multiple floors at the Lyndon B. Johnson State Office Building, Project No. 18-008-5093 in Austin, Texas, with a motion made by Commissioner Allensworth and a second to approve the motion made by Commissioner Alvis.

VIII. Consideration and possible action to award a construction manager-at-risk contract for the Texas School for the Blind's Residential Administration and Weekends Home Transportation Facility, Project No. 18-002-8601 in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract to Flintco, LLC in the amount of \$1,280,092.00 for the Texas School for the Blind's Residential Administration and Weekends Home Transportation Facility, Project No. 18-002-8601 in Austin, Texas, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

IX. Consideration and possible action to award an architectural and engineering professional services contract for building enclosure commissioning for the Capitol Complex Phase I Development, Project No. 16-018C-8001.

The Commission voted unanimously to approve an architectural/engineering professional services contract to Terracon Consultants Inc., in the amount of \$956,800.00 for building enclosure commissioning for the Capitol Complex Phase I Development, Project No. 16-018C-8001 in Austin, Texas, with a motion made by Commissioner Allensworth and a second to approve the motion made by Commissioner Villarreal. Commissioner Alvis abstained.

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

- 1. Fiscal note update.**
- 2. Critical path schedule.**

Mr. Richard Ehlert, Procurement Director, informed the Commission that the critical path schedule for the RFP is moving right along and that the RFP process is on schedule and hoping to take this to the Commission in June.

Commissioner Novak asked that he and the Commission be notified immediately if something is happening in the process to get us off the critical path schedule.

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

Mr. Lou Saksen, Project Executive for Balfour Beatty, gave a brief summary report on the budget, schedule and project progress for the Capitol Complex Phase I. In addition, Mr. Saksen informed the Commission that Balfour Beatty would be happy to give the Commission a monthly update on the progress. Commissioner Novak asked that a red line chart be added to report on the timeline/progress of the Capitol Complex construction process.

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

Mr. Mark Diaz, Project Manager, gave a brief update on the schedule, status, and the project team on the North Austin Complex Phase I Development. Chairman Thomas asked that the slide presentation that Mr. Diaz presented in the Commission meeting be sent to all the Commissioners.

Thereafter Chairman Thomas recessed the open meeting at 10:45a.m. for a break.

Chairman Thomas reconvened the open meeting at 10:58 a.m.

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

Mr. John Raff, Interim Executive Director gave a very brief update on the Texas School for the Deaf Toddler Learning Center and Central Services Center project and that the project is just getting started and that the top priority is the Deaf Toddler Learning Center and Central Services Center. In addition, a new auditorium is in the future and will also be a high priority as TFC continues to develop the campus. Mr. Raff also informed the Commission that staff will be interviewing for the Construction Manager on Thursday March 22, 2018.

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

Mr. John Raff, Interim Executive Director, gave a report on the safety training that the TFC's Security and Safety Program have been conducting. Three defensive driving courses have been conducted for employees whose primary task and responsibilities include driving State vehicles. TFC's Security and Safety Program is updating TFC's Emergency Action Plan and that they will be conducting a poll on TFC Workplace safety training. The group meets every two weeks and continues to discuss planning for weekly safety tool box training. Next, Mr. Raff informed the Commission that Information Systems has been designing an electronic routing system for contract requests and approvals. IS has determined the DocuSign service can be configured to serve this purpose and that TFC expects to have an electronic contract routing system in place within the next couple of months. IS continues to research a solution for live streaming services for the Commission meeting. Lastly, Mr. Raff informed the Commission that the FY 2019-2023 Strategic Plan instructions have been published by the Governor's Budget & Policy team, and the Legislative Budget Board and that any changes in TFC's budget structure would need to be submitted by April 13th. Also that TFC's Biennial Report on Customer Service is due June 1st and the Strategic Plan is due on June 8th and staff will be meeting to plan out the process to produce deliverables on schedule.

XV. Report on the Executive Director search efforts.

Chairman Thomas gave a brief update the Commission on the Executive Director's search efforts. The position is still posted in Work in Texas, Texas Society of Architects, National Association of State Facility Administrators, Texas Society of Professional Engineers and Engineering News Record. The Chairman informed the Commission that staff has submitted the request for approval to the Governor's office to hire an HR recruitment firm and hopefully will be getting response for the Governor's office soon. Next, the Chairman informed the Commission that out of the forty plus applicants that were received, they have narrowed it down to a rough cut of fifteen applicants and they will review the full resumes of the fifteen applicants. Once this is complete they hope to narrow the list to something more manageable and will reach out to the rest of the Commissioners with the shorter list of applicants.

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

1. Review and discuss Office of Internal Audit's Status Report for the Second Quarter of fiscal year 2018.

Ms. Amanda Jenami, Director of Internal Audit introduced the new Auditor David Ramos to the Commission. Next, Ms. Jenami gave a brief report regarding the status report for the Second Quarter of fiscal year 2018. Ms. Jenami

informed the Commission that Audit is coordinating the external audit with the State Auditor's Office ("SAO") regarding performing an audit on the Capitol Complex Master Plan Contracts, and that the Commissioners might be getting a call from the SAO to be interviewed. They also anticipate the audit will go through July and the report will come out in September. Lastly, Ms. Jenami gave a quick update on the Key Performance Indicators.

XVII. Program Presentations.

No presentations were given for Agenda Item XVII.

XVIII. Division/Program Dashboard Reports.

1. Management's Plan for Review and Reconciliation of SMART Goals and Key Performance Indicators agency-wide.

Mr. John Raff, Interim Executive Director, gave a report on the Management's Plan for Review and Reconciliation of SMART Goals and Key Performance Indicators agency-wide. Mr. Raff touched upon the Operational Plan beginning with TFC's mission, developing objectives around the mission, critical success factors, SMART goals and key performance indicators.

XIX. Report from the Commission Work Groups.

1. May include Work Groups for Energy, Administration, Child Care, Surplus Property, Real Estate Management, P3, Facilities Design & Construction and Audit.

Real Estate Management Work Group Report.

Chairman Thomas informed the Commission that the Work Group will be meeting at 2pm.

FDC Work Group Report.

No report was given for the FDC Work Group because most of it was discussed throughout the meeting.

Administration Work Group Report

No report was given for this Work Group.

P3 Work Group Report

Commissioner Novak informed the Commission that they had a conference call and that Commissioner Alvis joined the P3 Work Group and the conference call. Commissioner Novak informed the Commission that the group is reorganizing and studying the historical track record of the CAP and will be rebuilding this program.

Energy Work Group Report

Commissioner Novak informed the Commission that Energy Work Group met in the morning and continues to do great things. In addition, Mr. Shahsavary and Mr. Cook provided all the Commissioners with a TFC/OEM Energy Saving Summary. Lastly, Commissioner Novak informed the Commission that the second Performance Contracting RFP should be going out soon.

Child Care Work Group and the Surplus Work Group

Commissioner Jones informed the Commission that both Work Groups met yesterday, and that these are two new Work Group and that both meeting went very and well and both meetings were very informational.

Chairman Thomas also informed the Commission that all the Work Groups will be required to have Work Group meeting minutes. Chairman Thomas will be submitting WG the minutes to the Governor's Policy and Budget office.

XX. Report from the Interim 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 results of operations, the revenue forecast, and the financial transactions and appropriations not included in the operating budget.

XXI. Discussion of Commission organization, policies, procedures and new initiatives.

There was no discussion on this agenda item.

XXII. Introduction to a Global Analysis of Asset Utilization and Program Implementation.

There was no discussion on this agenda item.

XXIII. Discussion of the Capitol Complex Program Structure.

There was no discussion on this agenda item.

XXIV. 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.

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

XXVI. Adjournment.

Chair Thomas adjourned the meeting at 12:19 p.m.

Reviewed and Submitted:

By: 
Naomi R. Gonzalez, Acting General Counsel

Approved by the Commission on April 18, 2018.

By: 
Robert D. Thomas, Chair