

CHAIR

Robert D. Thomas

COMMISSIONERS

William D. Darby

Patti Jones

Mike Novak

Jack W. Perry

Betty Reinbeck

Joseph Slovacek



EXECUTIVE DIRECTOR

Harvey Hilderbran

TEXAS FACILITIES COMMISSION

Minutes No. 94: Minutes of the June 21, 2017 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 21, 2017, commencing at 10:00 a.m. Chairman Thomas presided, and Commissioners Novak, Perry, Reinbeck, Jones and Slovacek were also present. Commissioner Darby was absent.

I. Call to Order.

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

II. Approval of the minutes from the January 18, 2017, and the February 15, 2017, Open Meeting.

The Commission voted unanimously to approve the minutes from the previous meetings with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Novak. Commissioner Reinbeck abstained.

III. Public Comment.

There was no public comment.

Chairman Thomas introduced Dr. Philippa Strelitz, DeDe Church & Associates, LLC who is leading the Commission Staff in the professional development efforts. Thereafter, Dr. Strelitz gave brief remarks regarding her background and stated she looks forward to working with everyone in the agency's professional development.

Commissioner Reinbeck left the meeting. A quorum was still present.

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

Leases and/or amendments pending execution with commencement date on or after June 21, 2017.

Replacements:

1. Lease #303-8-20587- State Office of Administrative Hearings: San Antonio, TX.
2. Lease #303-9-20600 – Department State Health Services: Amarillo, TX.

Renewals:

3. Lease #10352 – Texas Department of Criminal Justice; Health and Human Services Commission; and Texas Department of Insurance-Division of Workers' Compensation: Austin, TX.
4. Lease #10575 – Texas Railroad Commission: Midland, 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 Perry and a second to approve the motion made by Commissioner Slovacek.

V. Consideration and possible action to approve cancellation of Lease No. 10234, Cedar Hill Texas, at the request and on behalf of the Texas Department of Public Safety.

Agenda Item V was pulled from the meeting the agenda.

VI. Contract Consent Agenda.

- 1. Consideration and possible action to award an architectural/engineering professional services contract for Phase II design and construction administration services for TFC's 2016-17 deferred maintenance on seven buildings, Project No. 16-014-5192 in Austin, Texas.**
- 2. Consideration and possible action to approve multiple HVAC/mechanical services contract awards, TFC Request for Proposal No. 303-7-00915.**
- 3. Consideration and possible action to approve multiple plumbing services contract awards, TFC Request for Proposal No. 303-7-00949.**
- 4. Consideration and possible action to approve a uniformed officer services contract award for the William P. Hobby building and the Park 35 complex, TFC Request for Proposal No. 303-7-01492.**
- 5. Consideration and possible action to approve a custodial services contract renewal with American Facility Services, Inc., TFC Contract No. 16-009.**
- 6. Consideration and possible action to approve a custodial services contract renewal with Villeda Building Services, LLC, TFC Contract No. 16-010.**
- 7. Consideration and possible action to approve a custodial services contract renewal with TIBH, TFC Contract No. 16-026.**
- 8. Consideration and possible action to approve an amendment to the Netronix Integration, Inc., Installation and Maintenance of Access Control and Surveillance Systems contract, TFC Contract No. 16-049.**
- 9. Consideration and possible action to approve an elevator services contract renewal with EMR Elevator, TFC Contract No. 16-060.**
- 10. Consideration and possible action to approve a uniformed officer services contract renewal with Walden Security, TFC Contract No. 16-132.**
- 11. Consideration and possible action to approve a chiller planned and remedial maintenance contract renewal with Trane, TFC Contract No. 17-012.**
- 12. Consideration and possible action to approve an amendment to the property management services contract with Tarantino Properties, Inc., for the Ft. Worth, G. J. Sutton (San Antonio), Elias Ramirez (Houston), and Waco State Office Buildings.**
- 13. Consideration and possible action to approve an amendment to the property management services contract with Tarantino Properties, Inc., for the El Paso State Office Building.**

The Commission voted unanimously to approve the above Contract Consent Agenda items one through eleven and thirteen, with a motion to approve made by Commissioner Jones and a second to approve the motion made by Commissioner Slovacek.

Commissioner Novak requested that item number twelve be voted on separately in order to have a discussion on the cost associated with maintaining the G.J. Sutton Building. Mr. Peter Maass, Executive Director of Planning and Real Estate Management Division informed the Commission that the cost to maintain the G.J. Sutton Building would be \$25,903.38 per month which would bring the total cost for the four months extension to \$103,613.52. The total cost would cover keeping the lights on, keeping the AC running at some level, the fire alarm system, and for security. Chairman Thomas stated that the P3 Work Group needs to be prepared to bring a recommendation for the G.J. Sutton Building to the full Commission within two months. Thereafter, a motion to approve was made by Commissioner Novak and a second to approve the motion made by Commissioner Perry.

VII. Consideration and possible action to approve a construction manager-at-risk contract for the Capitol Complex New Buildings and Utility Infrastructure Project, Site Utilities Package (Package 2), Project No. 17-008-8040 in Austin, Texas.

The Commission voted unanimously to approve a construction manager-at-risk contract to Zachry Construction Corporation, in the amount of \$20,226,534.00 for the Capitol Complex New Buildings and Utility Infrastructure Project, Site Utility Package (Package 2), Project No. 17-008-8040 in Austin, Texas, with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Perry.

VIII. Consideration and possible action to approve a one-time Commission policy exception for the approval of indefinite delivery indefinite quantity contracts to be effective September 1, 2017.

The Commission voted unanimously to approve a one-time Commission policy exception for the approval of indefinite delivery indefinite quantity contracts to be effective September 1, 2017, with a onetime exception that the Executive Director be permitted to execute more than \$2,000,000.00 in the IDIQ contracts, with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Slovacek.

IX. Consideration and possible action to appoint members to the Child Care Advisory Committee pursuant to Texas Government Code, Chapter 663.

The Commission voted unanimously to approve the appointment of the following individuals as members of the Child Care Advisory Committee: Tim Irvin and Elizabeth Yevich, Texas Housing and Community Affairs, Patricia Garrett and Judy Szilagyyi, Non-Profit Organization Representative, Hara Cootes, Rebecca Ryan and Sandy Briley, Child Care Representative, Shanna Bolanaire and Nique Mayo, State Employee Parents, Dana Perez, Julie Richards and Alan Washington, Subject Matter Experts, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Jones.

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

Mr. Harvey Hilderbran, Executive Director, informed the Commission that the Child Care responsibilities will be transferred from PREM to Maya Ingram, Government Relations. Mr. Hilderbran also informed the Commission that the groundbreaking for new construction in the Capitol Complex will be on either July 13th or 14th and he will inform the Commissioners once the date is confirmed. In addition, Mr. Hilderbran informed the Commission about an article in the Austin American Statesman regarding the long-term, interlocal agreement with the City of Austin and the State to proceed with the closing of Congress Avenue between 15th Street and MLK Boulevard so excavation can begin. Mr. Hilderbran relayed that there have been a few meetings/workshops with TFC staff and City of Austin staff. Chairman Thomas asked to be informed of upcoming meetings/workshops with the City of Austin and to provide Commissioner Slovacek a copy of the Master Plan. Next, Mr. Hilderbran informed the Commission that the French Legation is being transferred to the Texas Historical Commission effective September 1, 2017 and that the LBB (the Legislative Budget Board) approved funding in the amount of \$1,570,000 for emergency repairs at the French Legation. Lastly, Mr. Hilderbran gave a quick update on the hiring freeze which will expire on August 31st, and a brief legislative and budget update.

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

1. Review and discussion of the Office of Internal Audit's (OIA) Quarterly Status Report for the Quarter ended May 31, 2017.

Ms. Amanda Jenami, Director of Internal Audit, gave brief remarks regarding the Review of the Office of Internal Audit's Quarterly Status Report for the third quarter of Fiscal Year 2017.

XII. Program Presentations.

No presentations were given.

XIII. Division/Program Director Reports.

1. Project Management – Marti Walsh, Director.

Ms. Marti Walsh, Director of Project Management, gave a brief dashboard report and informed the Commission that the project management teams continue to work with state agencies and other divisions of TFC to serve the citizens of Texas by bringing public projects to successful completion on schedule and within budget.

2. HUB - Yolanda Strey - HUB Coordinator.

Ms. Yolanda Strey, HUB Coordinator, gave a brief dashboard report and informed the Commission that the HUB team continues to assist HUBs through outreach efforts, such as education and training in doing business with the State of Texas in order to afford these businesses a fair opportunity to participate in the competitive procurement process.

3. State Leasing Services – Gayla Davis, Manager.

Ms. Gayla Davis, Manager of State Leasing Services, gave a brief dashboard report and informed the Commission that the State Leasing Services Program procures and manages leased facilities to meet the operational needs of state agencies throughout the State of Texas.

XIV. Report from the Commission Work Groups.

1. Energy Work Group.

Commissioner Novak informed the Commission that the Energy Work Group added a one page dashboard report of the major buildings that are related to TFC's Performance Contracting Program in the monthly Energy Report. In addition, John Raff, Director of Facilities Design and Construction, informed the Commission that the grant from SECO for the condensing water system at the Capital Central Plant located in the Sam Houston Building, was measured and verified a savings of \$116,000.00 in the last nine months.

2. Construction Work Group.

Commissioner Jones informed the Commission that the Construction Work Group will begin meeting every other month and at the meeting this month they reviewed the updates on the construction in the Capitol Complex.

3. P3 Work Group

Commissioner Novak informed the Commission that the P3 Work Group will be having a conference call every other week instead of meeting once a month due to the amount of interest in the program area.

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

Mr. Daniel Benjamin, Director of Accounts Payable, 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.

Commissioner Reinbeck returned to the Commission meeting at 11:10 a.m.

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

The Commission voted unanimously to approve moving the Commission Monthly Meeting to the fourth Thursday of each month beginning with the August meeting, with a motion made by Commissioner Slovacek and a second to approve the motion made by Commissioner Perry.

XVII. Review and evaluation of the Executive Director.

XVIII. Review and evaluation of the Director of Internal Audit.

XIX. 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.

Chair Thomas recessed the meeting to convene in Executive Session at 11:28 a.m.

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

Chair Thomas reconvened the open meeting at 1:45 p.m. No action was taken during Executive Session.

XXI. Adjournment.

Chair Thomas adjourned the meeting at 1:47 p.m.

Reviewed and Submitted:

By:


Kay Molina, General Counsel

Approved by the Commission on August 24, 2017.

By:


Robert D. Thomas, Chair