

CHAIR
Robert D. Thomas

COMMISSIONERS
William D. Darby
Patti Jones
Mike Novak
Jack W. Perry
Betty Reinbeck



EXECUTIVE DIRECTOR
Harvey Hilderbran

TEXAS FACILITIES COMMISSION

Minutes No. 86: Minutes of the August 17, 2016 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, August 17, 2016, commencing at 10:00 a.m. Chairman Thomas presided, and Commissioners Novak, Darby, Jones, and Perry were also present. Commissioner Reinbeck 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 July 20, 2016 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 Perry.

III. Public Comment.

There was no public comment.

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

Leases and/or Amendments Pending Execution with Commencement Date on or after August 17, 2016.

NEW LEASE:

- 1. Lease #303-7-20563 – Texas Department of Public Safety: Edinburg, TX.**

REPLACEMENTS:

- 2. Lease #303-6-20546-A – Comptroller of Public Accounts – Enforcement: Houston, TX.**
- 3. Lease #303-7-20540-A – Texas Department of Public Safety: Houston, TX.**

RENEWALS:

- 4. Lease #10324 – Department of State Health Services; Health and Human Services Commission: Austin, TX.**
- 5. Lease #7104 – Health and Human Services Commission; Department of Aging and Disability Services: Houston, TX.**
- 6. Lease #8899 – Health and Human Services Commission; Department of Family and Protective Services; Department of Aging and Disability Services: Fort Worth, TX.**
- 7. Lease #7689 – Texas Commission on Environmental Quality: Austin, TX.**

ADD SPACE:

8. Lease #303-6-20553 – Texas Department of Criminal Justice: Huntsville, TX.
9. Lease #20334 – Office of the Attorney General: San Antonio, 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 Darby.

- V. **Consideration and possible action to award an architectural/engineering professional services contract for retro-commissioning services for the Texas School for the Deaf and the Texas School for the Blind and Visually Impaired 2016-17 Campus Wide Improvements, Project No. 16-001-8801 in Austin, Texas**

The Commission voted unanimously to approve an architectural/engineering professional services contract for retro-commissioning to Stanley Consultants, Inc. in the amount not to exceed \$381,480.00 for the Texas School for the Deaf and the Texas School for the Blind and Visually Impaired 2016-17 Campus Wide Improvements, Project No. 16-001-8801 in Austin, Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Jones.

- VI. **Consideration and possible action to award a construction manager-at-risk contract for TFC's 2016-17 deferred maintenance on the Stephen F. Austin State Office Building for mechanical and plumbing replacement and repairs, Project No. 16-005-5130 in Austin, Texas.**

The Commission voted unanimously to approve a construction manager-at-risk contract to Flintco, LLC in an amount of \$10,859,125.00 for TFC's 2016-17 deferred maintenance on the Stephen F. Austin State Office Building for mechanical and plumbing replacement and repairs, Project No. 16-005-5130 in Austin, Texas, with a motion made by Commissioner Jones and a second to approve the motion made by Commissioner Perry.

- VII. **Consideration and possible action to award a construction manager-at-risk contract for elevator repairs and replacements at the James E. Rudder Building, Thomas Jefferson Rusk Building, Brown Heatly Building, William P. Clements Building and the William P. Hobby Towers I, II and III, Project No. 16-002-5191 in Austin, Texas.**

The Commission voted unanimously to approve a construction manager-at-risk contract to J.T. Vaughn Construction, LLC in the amount of \$12,799,063.00 for elevator repairs and replacements at the James E. Rudder Building, Thomas Jefferson Rusk Building, Brown Heatly Building, William P. Clements Building and the William P. Hobby Towers I, II and III, Project No. 16-002-5191 in Austin, Texas., with a motion made by Commissioner Darby and a second to approve the motion made by Commissioner Perry.

- VIII. **Consideration and possible action to adopt amendments to Texas Administrative Code, Title 1, Part 5, Chapter 126, State Surplus and Salvage Property, and publication of the adopted rules in the Texas Register.**

The Commission voted unanimously to approve the staff recommendation to adopt the amendments to Texas Administrative Code, Title 1, Part 5, Chapter 126, State Surplus and Salvage Property, and publication of the adopted rules in the Texas Register, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Jones.

- IX. **Consideration and possible action to adopt amendments to the Texas Facilities Commission Policies.**

The Commission voted unanimously to approve the staff recommendation to approve amendments to current Texas Facilities Commission Policies covering contract procedures, reporting and approvals, litigation and administrative matters as well as five new policies, with a motion made by Commissioner Perry and a second to approve the motion made by Commissioner Darby.

X. Consideration and possible action to approve the FY 2018-19 Legislative Appropriation Request.

The Commission voted unanimously to approve the FY 2018-19 Legislative Appropriation Request and to allow staff to make non-substantive edits, as necessary, before final printing and submittal, with a motion made by Commissioner Darby and a second to approve the motion made by Commissioner Jones.

XI. Program Presentations.

1. Report by Divisions on audit implementation status.

Ms. Kay Molina, General Counsel, made brief remarks on the implementation of the *Review of Contract Management (Phase One)* audit and outlined the few items that were not completed. Ms. Yolanda Strey, Director of HUB, informed the Commission that HUB is working on updating the data and implementation of agency specific HUB goals and that TFC has purchased a software system to assist with this endeavor and implementation should start by September 1st. In addition, HUB staff is working with the Legal Services Division to update the HUB processes in the TFC Contract Manual and to merge its files into the official contract files. Finally, Mr. Hilderbran, Executive Director, informed the Commission that TFC has hired an administrative staff member to assist with the HUB program and may be looking to add an intern for the program.

Ms. Catherine Camp, Director of Human Resources, provided an overview of the implementation of the *Review of Human Resources Management* audit and informed the Commission that Human Resources continues to work on the formal goals, performance measures, and targets for HR and will continue to make sure everything is aligned with the agency's strategic and operational plan and to ensure proper alignment of the Division's goals and objectives with the agency's overall goal. Chairman Thomas asked for an update regarding the results of the Survey of Organizational Excellence and Ms. Camp informed the Commission that the survey has been completed and that Human Resources is in the process of looking at analyzing the data.

XII. 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, introduced Mr. Glenn Garvey as the new TFC Chief Information Officer. Thereafter he gave brief remarks on the LAR as well as various legislative meetings that staff has attended since the last Commission meeting. Mr. Hilderbran also discussed customer service efforts in the William P. Hobby and William P. Clements Buildings, more specifically notice of deferred projects that have been completed and a provision of a timeline of the upcoming projects that have been planned for the year. Mr. Hilderbran also informed the Commission that the LED lighting projects in the garages are underway and that he went to Fort Worth, Texas to visit the Federal Surplus Warehouse and is very pleased with the staff and the improvements that have been made to the building and the program.

XIII. Report from the divisions on facilities design and construction, leasing, facilities operations, maintenance and surplus property.

No report was given.

XIV. Report from the Commission Work Groups.

1. Energy Work Group.

Commissioner Novak informed the Commission that the Energy Work Group did not meet this month and that the energy management program continues to focus energy on efficiency. Mr. John Raff, Director of Facilities Design and Construction informed the Commission that TFC had secured a grant from the State Energy Conservation Office for the pilot project required pursuant to HB 2919, 84th Legislative Session. The project scope includes adding controls to the condenser water loop for the 4 chillers and 6 cooling towers at the Capitol Complex Central Plant, analyzing and optimizing that function of the cooling system to achieve an estimated ROI of 14 months.

2. Policy Work Group.

Ms. Kay Molina, General Counsel, informed the Commission that the Policy Work Group met to work on the TFC Commission Policies that were adopted pursuant to Agenda Item IX and will meet again in the future to continue to review the current policies.

3. Strategic Planning and Organization Work Group.

The work group had a meeting this month and continued the discussion for the FY 2018-19 Legislative Appropriations Request.

4. P3 Work Group.

Mr. Harvey Hilderbran, Executive Director, informed the Commission that the P3 Work Group had a conference call this month and the work group plans to meet every two months. Mr. Hilderbran informed the Commission that staff is working on a request for proposals for marketing and communication assistance for the program and staff is working on scopes of services to contract with outside technical consultants that will be necessary to provide expertise on P3 projects and analysis that TFC does not currently have in-house

Finally, Chairman Thomas asked the Legislative Work Group to start thinking about what it will need from Commissioners and staff for the upcoming legislative session.

XV. 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.

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

1. Consideration and possible action to approve the Internal Audit Plan for Fiscal Year 2017.

The Commission voted unanimously to approve the Internal Audit Plan for Fiscal Year 2017, with a motion made by Commissioner Darby and a second to approve the motion made by Commissioner Jones.

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

There was no discussion on this item.

XVIII. 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.
- f. The deliberation regarding a security audit, Section 551.076.

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

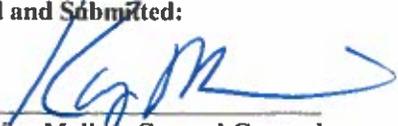
There was no Executive Session.

XX. Adjournment.

Chair Thomas adjourned the meeting at 12:07 p.m.

Reviewed and Submitted:

By: _____


Kay Molina, General Counsel

Approved by the Commission on September 21, 2016.

By: _____


Robert Thomas, Chair