

**Chair**  
Betty Reinbeck

**Commissioners**  
William D. Darby  
Douglas Hartman  
Virginia Hermosa  
Brant C. Ince  
Alvin Shaw



**Executive Director**  
Terry Keel

## **TEXAS FACILITIES COMMISSION**

### **Minutes No. 40: Minutes of the November 16, 2011, 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, November 16, 2011, commencing at 10:00 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Darby, Ince, Shaw and Hartman were also present.

#### **I. Call to Order.**

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

#### **II. Presentation of State Service Awards.**

Mr. Tim Pankratz and Mr. Rick Sosa were acknowledged for their 30 years of State service.

#### **III. Approval of the Minutes from October 19, 2011 Open Meeting.**

The Commission voted unanimously to approve the minutes from the previous meeting with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Hartman with a request that Agenda Item VIII be amended to include a statement regarding the Commissioners' discussion regarding full disclosure and approval by the Commission of all projects.

#### **IV. Public Comment.**

There were no public comments.

#### **V. Award of Lease Recommendation and Summaries.**

##### **a. Leases and/or Amendments Pending Execution with Commencement Date on or after November 16, 2011.**

##### **Replacement Leases**

1. #20264 - Department of Public Safety: Houston, Texas.
2. #20266 - Health and Human Services Commission/Department of Aging and Disability Services: Dallas, Texas.
3. #20277 - Office of the Attorney General: La Marque, Texas.
4. #303-2-20294 - Department of Assistive and Rehabilitative Services: Austin, Texas.

The Commission voted to approve the above leases with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Darby. In addition, the Commission had a discussion regarding the need to provide more clarity when reflecting total square footage and price per square foot; if a lessor is going to provide additional square footage to a lessee above the amount

requested in the specifications, and is providing such additional square footage at no cost to the lessee, then both the body of the lease document and the reporting documents need to make sure to clearly note all square footage: both the required square footage at the price per square foot and the additional square footage at no-cost.

**VI. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas Department of Public Safety Emergency Vehicles Operations Course Project No. 08-006A-0405, Florence, Texas.**

The Commission voted unanimously to approve a contract amendment to LopezGarcia Group for additional engineering design services in the amount of \$146,237.04 for the Texas Department of Public Safety Emergency Vehicles Operations Course Project No. 08-006A-0405, Florence, Texas with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Shaw.

**VII. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the Texas Department of Public Safety Emergency Vehicles Operations Course Facilities Project No. 08-006B-0405, Florence, Texas.**

The Commission unanimously voted to approve a contract amendment to Randall Scott Architects, in the amount of \$91,753.65 for the Texas Department of Public Safety Emergency Vehicles Operations Course Facilities Project No. 08-006B-0405, Florence, Texas with a motion to approve made by Commissioner Ince and a second to approve the motion made by Commissioner Hermosa.

**VIII. Consideration and possible action to approve the award of a construction manager-at-risk contract for the James E. Rudder Interior Renovations Project No. 10-007-6305, Austin, Texas.**

The Commission unanimously voted to approve the award of a construction manager-at-risk contract to SpawGlass Contractors, Inc., in an amount not to exceed \$5,131,725 for the James E. Rudder Interior Renovations Project No. 10-007-6305, Austin, Texas with a motion to approve made by Commissioner Hartman and a second to approve the motion made by Commissioner Shaw.

**IX. Consideration and possible action to approve a construction contract award for the Texas Department of Public Safety Austin Headquarters Campus Fire Sprinkler Retrofit Project for Buildings A and C, Project No. 11-006-0405, Austin, Texas.**

The Commission unanimously voted to approve a construction contract award to Ranger Builders, LLC in an amount not to exceed \$2,614,600.00 for the Texas Department of Public Safety Austin Headquarters Campus, Fire Sprinkler Retrofit for Buildings A and C, Project No. 11-006-0405, Austin Texas with a motion to approve made by Commissioner Shaw and a second to approve the motion made by Commissioner Hartman.

**X. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the William B. Travis Building 10<sup>th</sup> & 11<sup>th</sup> Floor Renovation Project No. 10-027-6144, Austin, Texas.**

The Commission unanimously voted to approve a contract amendment to Susman Tisdale Gayle Architects, Inc. d/b/a STG Design, Inc. in the amount not to exceed \$10,080 for the William B. Travis Building 10<sup>th</sup> & 11<sup>th</sup> Floor Renovation Project No. 10-027-6144, Austin, Texas with a motion to approve made by Commissioner Hermosa and a second to approve the motion made by Commissioner Darby.

**XI. Update from the Planning and Asset Management Division on facilities strategy and space utilization.**

There was no update provided.

**XII. Report from the Executive Director and executive staff on facilities design and construction projects, facilities leasing, and facilities operations, maintenance, and energy management.**

Mr. John Raff, Deputy Executive Director of the Facilities Design & Construction Division, gave a brief presentation regarding a new project at the LBJ State Office Building.

**XIII. Report from the Director of Budget and the Director of Accounting on the monthly financial report update.**

Mr. Stan Korn, Director of Budget, 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.

**XIV. Monthly Status Report from the Internal Auditor.**

**a. Management Letter Regarding TFC's Progress in Developing Processes for Continuity of Operations and Disaster Recovery.**

Mr. Mark Scott, Director of Internal Audit, gave the Commission an overview of the *Management Letter Regarding TFC's Progress in Developing Processes for Continuity of Operations and Disaster Recovery*. In addition, Mr. Scott informed the Commission that he met with Commissioners Hartman and Hermosa to discuss audit issues.

**XV. 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. 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.**

There was no Executive Session.

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

There was no Executive Session.

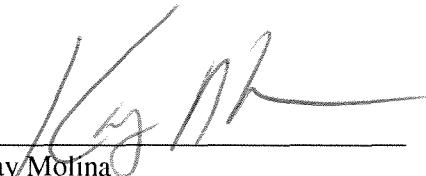
**XVII. Consideration and possible action, if necessary, on any issue discussed during Executive Session.**

There was no Executive Session.

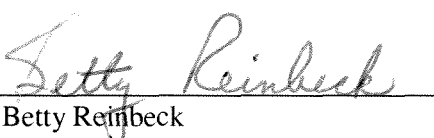
**XVIII. Adjournment.**

Chair Reinbeck adjourned the meeting at 11:09 a.m.

Reviewed and Submitted:

By:   
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Kay Molina  
General Counsel

Approved by the Commission on the 11/18/2012.

By:   
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Betty Reinbeck  
Chair