



Notice of a Regular Meeting  
of the  
**TEXAS FACILITIES COMMISSION**  
1711 San Jacinto Boulevard  
Austin, Texas 78701  
May 21, 2014

Notice is hereby given that a Regular Meeting of the Texas Facilities Commission will be held on the 21<sup>th</sup> day of May, 2014 beginning at 10:00 a.m. at the Central Services Building, 1711 San Jacinto Boulevard, Conference Room 402, Austin, Texas 78701.

- I. Call to Order.
- II. Approval of the minutes from the March 19, 2014 Open Meeting.
- III. Public Comment.
- IV. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after May 21, 2014.

New Lease

1. #20399 – Department of Motor Vehicles: Houston, TX.

Replacement Leases

2. #20390 – Texas Department of Criminal Justice: Houston, TX.
3. #303-5-20422 – Office of the Attorney General: Laredo, TX.
4. #303-5-20427 – Texas Department of Criminal Justice: Rosenberg, TX.

Renewals

5. #303-9-10341 – Department of Family and Protective Services: Brownsville, TX.
6. #303-8-10683 – Department of Family and Protective Services: Lubbock, TX.

Renewals/Add Spaces

7. #8499 – Texas Department of Criminal Justice: Temple, TX.
8. #10640 – Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services: Dallas, TX.

- V. Consideration and possible action to approve the award of a construction manager-at-risk contract for the 2010-2011, 2012-13 and 2014-15 deferred maintenance life safety deficiencies and HVAC and electrical upgrades at the John H. Winters Building, Project Nos. 10-014-6312, 12-016-6413, 14-027-4115, and the Sam Houston Building, Project Nos. 12-014-6411, 12-015-6412, 14-026-4114 in Austin, Texas.
- VI. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the John H. Winters Complex Restroom Replacement, Project No. 12-003-6324 in Austin, Texas.
- VII. Consideration and possible action to approve a change order to the construction manager-at-risk contract for the replacement of the multiple HVAC air handling units in the Lyndon B. Johnson State Office Building, Project Nos. 12-019-6416 and 14-023-4111, in Austin, Texas.
- VIII. Consideration and possible action to approve a change order to the construction manager-at-risk contract for deferred maintenance in the Price Daniel, Sr. Building, Project No. 12-021-6418, the State Insurance Building, Project No. 12-022-6419 and the John H. Reagan Building, Project No. 12-024-6421, in Austin, Texas.
- IX. Consideration and possible action to approve the award of a construction manager-at-risk contract for the Texas School for the Deaf Campus Wide Improvements, Project No. 14-028-1440, in Austin, Texas.
- X. Consideration and possible action to approve the award of indefinite delivery indefinite quantity contracts for heating, ventilation and air conditioning testing, adjusting and balancing professional engineering services.
- XI. Consideration and possible action to adopt new rule Chapter 121, Comprehensive Planning and Development Process, Texas Administrative Code, Title 1, Part 5, as proposed in 39 Tex. Reg. 1558, and to approve publication of the adopted rule chapter in the Texas Register.
- XII. Consideration and possible action to propose new rule, Texas Administrative Code, Title 1, Section 111.33, entitled "Alternative Dispute Resolution," and to approve publication of the proposed rule in the Texas Register for public comment.
- XIII. Briefing on the 2014 Facilities Master Plan Report.
- XIV. Report from the Executive Director and executive staff on facilities design, construction projects, facilities leasing, facilities operations, maintenance, energy management and legislation.
- XV. Report on the Energy Management and Water Conservation Program.
- XVI. Report from the Chief Financial Officer on the monthly financial report update.
- XVII. Monthly Status Report from the Director of Internal Audit.
  - a. An Audit of Selected Purchasing Practices at TFC
- XVIII. Briefing on *Harvey-Cleary Builders v. TFC*, OAG No. 133436535.
- 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.
- XX. Reconvene in open meeting and consider action on matters discussed in Executive Session.
- XXI. Consideration and possible action, if necessary, on any issue discussed during Executive Session.
- XXII. Adjournment.

Notice to the Public: All matters listed under Regular Agenda Item IV, Lease Recommendations and Summaries, will be considered by the commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless any member of the commission requests discussion on an item prior to the time the commission votes on the motion to adopt Regular Agenda Item IV.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, and non-English speaking persons who may need assistance are requested to contact Veronica Perez, Executive Assistant at (512) 463-7220 three days prior to the meeting by mail, telephone, or RELAY Texas (1-800-735-2989) so that appropriate arrangements can be made.

CERTIFICATION: I certify that I have reviewed the open meeting notice and that it conforms to all Texas Register filing requirements.

  
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Kay Molina  
General Counsel