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Commissioners
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Brian Bailey
Patti C. Jones
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Minutes No. 112: Minutes of the October 17, 2019 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 Thursday October 17, 2019, commencing at 9:00 a.m. Chairman Allensworth called the meeting to order, and Commissioners Alvis, Bailey, Jones, and Villarreal all present; Commissioner Wagner was not in attendance.

I. Call to Order.

Chairman Allensworth called the meeting to order at 9:00 a.m.

II. Approval of the minutes from the September 19, 2019 Open Meeting.

The Commission voted unanimously to approve the September 19, 2019 minutes with the motion made by Commissioner Alvis, seconded by Commissioner Bailey.

III. Public Comment.

There was no public comment.

IV. Award of Lease Recommendations and Summaries.

Gayla Davis and Jon Conant, of TFC/Leasing, answered questions from Commissioner Alvis and Commissioner Bailey on the Beaumont lease. Chairman Allensworth moved to approve the consent agenda and Commissioner Alvis seconded the motion. The Commissioners voted unanimously to approve the consent agenda for leases.

V. Consideration and possible action to approve the award of the Chiller Maintenance Services Contracts resulting from RFP 303-9-01008.

This item was pulled from the Agenda and may be re-presented for consideration by the Commissioners at a future Commission meeting.

VI. Consideration and possible action to amend Service Contract with Unifirst Corporation, TFC Contract No. 17-044-000, in the amount of \$181,333.45.

TFC's Director of Facilities Maintenance and Operations, Marty Martinez, spoke about this existing contract and the clerical error that was made on the amount of the base amount of the contract that necessitates this amendment. Commissioner Alvis made the motion to approve; Commissioner

Jones seconded the motion. The Commissioners voted unanimously to approve the contract amendment.

VII. Consideration and possible action to approve the award of the Emergency Generator and Automatic Transfer Switches Services Contract resulting from RFP 303-9-01352.

TFC's Marty Martinez informed the Commissioners about this critical contract award, which covers the emergency generator and emergency transfer switches controls at multiple TFC-controlled buildings. Commissioner Alvis made the motion to approve; Commissioner Bailey seconded the motion. The Commissioners voted unanimously to approve the award.

VIII. Consideration and possible action to award a design-build contract for the DPS Statewide Deferred Maintenance, Project No. 19-004-0405.

TFC's FDC Director, John Raff, addressed the Commissioners on the design-build contract for statewide DPS projects. Teal Construction emerged as the highest scoring firm from the responsive submissions to the RFP. John Raff introduced Jennifer King and Michael Morale, of Teal Construction, who were in attendance at the meeting. Mr. Raff confirmed that TFC and Teal intend to work closely with DPS to identify DPS' priorities. Sonya Etheridge, TFC's Internal Auditor, added that the Office of Internal Audit will work closely with John Raff's group to ensure TFC adheres to the statutory requirements on the dollar amounts. Chairman Allensworth made the motion to approve; Commissioner Alvis seconded the motion. The Commissioners voted unanimously to approve.

IX. Consideration and possible action to award a modular furniture vendor contract for the North Austin Complex, Phase 1, Project No. 16-030-8060 in Austin, Texas.

TFC's FDC Director, John Raff, gave a general description of this contract, which will provide the vast majority of furniture for the North Austin Complex Phase One. Two smaller furniture packages will be supplied by Texas Correctional Industries, in compliance with the state's preferential rules for awards to TCI. TFC Project Manager, Mark Diaz, also spoke on the solicitation process and participation in that process by HHSC's decision-making team. Commissioner Alvis made the motion to approve, Commissioner Bailey seconded the motion. All Commissioners voted unanimously to approve the award.

X. Consideration and possible action to approve the proposed membership of the 2020 review committee for the State of Texas Uniform General Conditions for Construction Contracts.

John Raff gave a list of the proposed Committee members, who will include: Michael Cowan, AIA, Principal Haddon & Cowan Architects TBD; Thomas Wilson, P.E., Baird, Hampton, Brown; Tom Vaughn, Vaughn Construction; Jeff Henkener, President Mechanical Contractors Association of Texas; Ronnie Smitherman, Executive Director of Texas Building and Construction Trades Council; Ben Westcott, Past Chair Associated Builders and Contractors of Texas; Edwin Smith, Attorney Sr., UT System Office of General Counsel; Jeff Kauffmann, Deputy Director, Construction Services, General Land Office; Michael Neill, Assistant Attorney General, Office of the Attorney General; Bobby Pounds, Coordinator Statewide HUB Program Comptroller of Public Accounts; Cloteal Davis Haynes, Government Liaison, Austin Black Contractors Association; Salvador Chavarria, President/Owner Viking Fence. Chairman Allensworth provided some insight on the importance of the UGC and commended Mr. Raff for soliciting and receiving these

nominations for the Committee. Commissioner Jones made the motion to approve the nominees for the Committee; Commissioner Bailey seconded the motion. All Commissioners voted in favor to approve the UGC Committee nominees.

XI. Consideration and possible action to amend TFC Contract No. 18-200-000, an interagency agreement with the Department of Information Resources (DIR) to procure services through the Data Center Services Shared Services Program, for an additional two (2) years.

TFC's Chief Information Officer, Glenn Garvey, discussed the amendment to TFC's interagency contract with the Department of Information Resources for Data Center Services. Mr. Garvey discussed the base costs and the additional funds for DIR's services for cyber security, event monitoring and incident management. Commissioner Alvis made the motion to approve the amendment, Commissioner Bailey seconded the motion. All Commissioners voted unanimously to approve the amendment to the interagency agreement with DIR.

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

TFC's Executive Director, Mike Novak, shared a two-minute video, prepared by Kirksey Architects, which provides a simulated or virtual tour of the entire Capitol Complex. John Raff (TFC's Director of Facilities Design and Construction) elaborated that Kirksey is the architect for the 1601 Congress building and the mall. Mr. Novak states this virtual tour video is an ideal tool to share with stakeholders in the course of updating interested parties on the progress and promoting TFC's brand.

Mr. Novak went on to discuss the improvements in cost/benefit analyses done by the TFC Tenant Space Allocation team, which Mr. Novak referred to as TFC's "Seal Team."

Mr. Novak mentioned TFC's recent strategic, high-level meetings with Comptroller Glenn Hegar regarding space allocation in the new buildings (1601 and 1801). Mr. Novak indicated TFC leadership has also met with the representatives of the Governor's office and of the Lieutenant Governor's office, as well as representatives from the House Speaker's office and the LBB to discuss appropriations relevant to moving tenants into the 1801 building. Mr. Novak also discussed TFC's legislative agenda and appropriations issues and plans for additional future discussions with Committee Chairmen, Chiefs of Staff and with the LBB.

XIII. Discussion of Major Projects.

1. Capitol Complex.

Lou Saksen of Balfour Beatty gave an update on the riskiest parts of the project, which were excavation, utilities, and the power plant, which Mr. Saksen states are behind us now. Mr. Saksen stated everything is, thus far, on time and within budget, and the safety record is excellent with only one recorded case of clinical first aid for each contractor. Mr. Saksen stated the HUB status is at 26 percent for excavation and 24 percent for the 1801 building; the goal is 21 percent.

2. North Austin Complex.

TFC's FDC Director, John Raff, outlined high-level discussions held in the previous day's Construction Work Group for the North Austin Complex (NAC), which continues on time. Mr. Raff discussed constructing a temporary surface parking lot in an effort to minimize pedestrian traffic crossing Lamar Boulevard. Commissioner Villarreal asked about a recent incident involving a worker struck by a car. Mark Diaz, TFC's Project Manager for NAC, explained the worker was attempting to assist coordinating as flaggers for a truck entering the worksite (which is customarily done by police officers or flagmen.) A passing passenger car's side mirror hit the worker, who was removed from the site by ambulance and examined at a hospital; the worker missed a couple of days work but is now fully recovered and back on the job.

3. Texas School for the Deaf.

Mr. Raff also gave an update on the Texas School for the Deaf (TSD) project. He informed the meeting that TFC is in the design development proposal phase and is reconciling the CMR's budget and working with TSD's board to keep them informed and ensure TFC is responsive to their requests for "tweaks." The anticipated start date will be April of 2020, with a projected completion date in the autumn of 2021.

XIV. Report from Internal Audit.

Sonya Etheridge, TFC's Internal Auditor, discussed Senate Bill 65, wherein the State Auditor's Office is charged with performing reviews of the top 25 contracting state agencies, of which TFC is one. SAO's full report will be issued in July and the outcome will determine which agencies require monitoring and the agencies whose monitoring is sufficient. Ms. Etheridge states TFC will provide information regarding our good controls that are currently in place.

Ms. Etheridge addressed the status FY 2019 Audit Plan, which includes the North Austin Complex review, which will be presented at the next Commission Meeting. Ms. Etheridge briefly discussed the enterprise-wide risk assessment, to be performed when all layers of executive leadership are in place.

Ms. Etheridge stated the FY 2020 audit plan will commence when these two audits are complete. Ms. Etheridge spoke briefly about the peer review she is performing for the Employee Retirement System (ERS); the report of this peer review will be delivered to the ERS board in December.

TFC's Executive Director, Mike Novak, commended Ms. Etheridge and the Office of Internal Audit for their partnerships and positive lines of communication, within TFC and with our external stakeholders, as TFC continues to make process refinements.

XV. Report from Chief Financial Officer.

Diane Jackson, TFC's Chief Financial Officer, provided an overview of the operating budget for FY 2019 as of September 30, 2019. Ms. Jackson has received notice of a post-payment audit, to be completed per statute by the Comptroller of Public Accounts. TFC's last post-payment audit was in 2014.

XVI. Consideration and possible action to approve the Agency's FY 2020 Operating Budget Report.

Ms. Jackson also asked the Commissioners for their approval to give Chairman Allensworth certification signature authority to submit TFC's budget to the Legislative Budget Board (LBB) through LBB's portal system. Ms. Jackson confirmed she will review and approve TFC's budget, as will Executive Director Mike Novak, prior to the Chair's approval and the submission for LBB reporting. Commission Jones made the motion to approve Chairman Allensworth's certification signature authority to submit the budget to the LBB; Commissioner Bailey seconded the motion. All Commissioners voted unanimously to approve this authority for the Chairman.

Ms. Jackson then introduced the new members of TFC's Procurement team.

XVII. Report from Commission Work Groups.

1. Construction Work Group. Update given as part of Agenda Item XIII.
2. Audit Work Group. Update given as part of Agenda Item XIV.

XVIII. Adjournment.

No Executive Session. Meeting was adjourned.

Reviewed and Submitted:

By: 

For A. J. Wilson Salazar, General Counsel

Approved by the Commission on January 16, 2020:

By: 

William Allensworth, Chair