

CHAIR

Betty Reinbeck

COMMISSIONERS

William D. Darby
Virginia Hermosa
Brant C. Ince
Michael Novak
Jack W. Perry
Alvin Shaw



EXECUTIVE DIRECTOR

Terry Keel

TEXAS FACILITIES COMMISSION

Minutes No. 65: Minutes of the August 20, 2014 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 20, 2014 commencing at 10:00 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Darby, Ince, Shaw, Novak and Perry were also present.

I. Call to Order.

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

II. Approval of the minutes from the July 16, 2014 Open Meeting.

The Commission voted to approve the minutes from the previous meeting with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Perry. Commissioners Ince, Darby and Hermosa abstained.

III. Public Comment.

There was no public comment.

IV. Leases and/or Amendments Pending Execution with Commencement Date before August 20, 2014.

Renewal

1. #1137 – Office of the Attorney General: Houston, TX.

Leases and/or Amendments Pending Execution with Commencement Date on or after August 20, 2014.

New Leases

2. #20370 – Department of Public Safety: Houston, TX.

Replacement Leases

3. **#20392 – Health and Human Services Commission – Office of Inspector General: Austin, TX**
4. **#303-5-20434 – Health and Human Services Commission/Department of Aging and Disability Services/Department of Family and Protective Services/Department of Assistive and Rehabilitative Services: Gonzales, TX.**
5. **#303-6-20450 – Texas Department of Criminal Justice: Sherman, TX.**

Renewals

6. **#1464 – Department of Assistive and Rehabilitative Services: San Antonio, TX.**

The Commission voted unanimously to approve the replacement leases with a motion to approve made by Commissioner Ince and a second to approve the motion made by Commissioner Darby.

- V. **Consideration and possible action to approve an architectural/engineering professional services contract for deferred maintenance mechanical system improvements in eight (8) buildings including: the Lorenzo de Zavala Archives and Library Building, Project No. 14-001-6451; the Central Services Building, Project No. 14-002-6452; the Insurance Building, Project No. 14-003-6453; the Robert E. Johnson State Office Building, Project No. 14-004-6454; the E.O. Thompson Building, Project No. 14-005-6455; the William P Clements, Jr State Office Building, Project No. 14-006-6456; the Department of State Health Services Old Power Plant, Project No. 14-008-6458; and the Robert D. Moreton Building, Project No. 14-019-4107, in Austin, Texas.**

The Commission voted unanimously to approve an architectural/engineering professional services contract to Tom Green and Company Engineers, Inc. in an amount not to exceed \$1,621,700.00 for deferred maintenance mechanical system improvements in eight (8) buildings including: the Lorenzo de Zavala Archives and Library Building, Project No. 14-001-6451; the Central Services Building, Project No. 14-002-6452; the Insurance Building, Project No. 14-003-6453; the Robert E. Johnson State Office Building, Project No. 14-004-6454; the E.O. Thompson Building, Project No. 14-005-6455; the William P Clements, Jr State Office Building, Project No. 14-006-6456; the Department of State Health Services Old Power Plant, Project No. 14-008-6458; and the Robert D. Moreton Building, Project No. 14-019-4107, in Austin, Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Perry.

- VI. **Consideration and possible action to approve the award of a construction manager-at-risk contract for interior improvements to the Health and Human Services Commission Service Building, Project No. 13-016-6044, in Austin, Texas.**

The Commission voted unanimously to approve a construction manager-at-risk contract to Structure Tone Southwest, Inc. in the amount of \$1,028,719.00 for interior improvements to the Health and Human Services Commission Service Building, Project No. 13-016-6044 in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

- VII. **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.**

The Commission voted unanimously to approve a construction manager-at-risk contract to Kiewit Building Group, Inc., in the amount of \$3,127,250.00 for the Texas School for the Deaf-Campus Wide

Improvements, Project No. 14-028-1440 in Austin, Texas, with a motion made by Commissioner Shaw and a second to approve the motion made by Commissioner Hermosa.

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

No report was given.

IX. Report on the Energy Management and Water Conservation Program.

Mr. John Raff, Deputy Executive Director of Facilities Design and Construction, informed the Commission that the Energy Work Group met on Tuesday August 19, 2014 and Commissioner Novak gave a brief update. Commissioner Novak informed the Commission that he continues to be pleased with the progress the commission is making on energy efficiency and that the Office of Energy Management web page went live on July 31, 2014. In addition, the Energy Management program continues to focus on the review of utility bills to verify their accuracy and to identify anomalies, with collaboration with FDC project management staff on deferred maintenance projects, and on the load cooperative agreement with Austin Energy.

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

Ms. Diana Warner, Chief Financial Officer, gave a brief update on the FY16-17 Legislative Appropriations Request. In addition, Ms. Warner 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.

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

a. Limited review of the TFC Information Technology Program.

Mr. Mark Scott, Director of Internal Audit, updated the Commission on the Limited review of the TFC Information Technology Program. In addition, Mr. Scott gave the Commission a brief update on the Audit Work Group meeting.

XII. Briefing on *Harvey-Cleary Builders v. TFC*, OAG No. 133436535.

No update was given.

XII. 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.

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

No Executive Session was held.

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

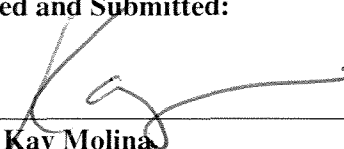
No Executive Session was held.

XVI. Adjournment.

Chair Reinbeck adjourned the meeting at 10:41am

Reviewed and Submitted:

By: _____


Kay Molina
General Counsel

Approved by the Commission on October 15, 2014.

By: _____


Betty Reinbeck
Chair