

CHAIR
Robert D. Thomas

COMMISSIONERS
William Allensworth
Steven D. Alvis
Patti C. Jones
Mike Novak
Rigoberto "Rigo" Villarreal



INTERIM EXECUTIVE DIRECTOR
John Raff

TEXAS FACILITIES COMMISSION

Minutes No. 103: Minutes of the June 21, 2018 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 June 21, 2018, commencing at 9:00 a.m. Chairman Thomas presided, and Commissioners Novak, Alvis, and Allensworth were also present. Commissioner Jones and Villarreal were absent.

I. Call to Order.

Chair Thomas called the meeting to order at 9:00 a.m.

II. Approval of the minutes from the May 16, 2018, Open Meeting.

The Commission voted unanimously to approve the May 16, 2018 minutes with a motion made by Commissioner Allensworth and a second to approve the motion made by Commissioner Alvis.

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 June 21, 2018.

Replacement:

1. Lease #20615 – Comptroller of Public Accounts – Audit: Houston, TX.

Renewals:

2. Lease #20277 – Office of the Attorney General: La Marque, TX.
3. Lease #10030 – Texas Department of Criminal Justice: Houston, TX.
4. Lease #8061 – Texas Animal Health Commission: Austin, TX
5. Lease #9210 – Texas Commission on Law Enforcement; Health and Human Services Commission: Austin, TX.
6. Lease #20164 – Department of Family and Protective Services: Pearland, TX
7. Lease #8419 – Health and Human Services Commission; Department of Family and Protective Services: Bowie, TX.

Add Space:

8. Lease #20152 – Texas Education Agency: Austin, 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 Alvis and a second to approve the motion made by Commissioner Allensworth.

V. Consent Contract Agenda

1. **Consideration and possible action to award an architectural/engineering professional services contract for test and balance services for the North Austin Complex Phase 1 Development, Project No. 16-030-8060 in Austin, Texas.**

The Commission voted unanimously to approve the above contract consent agenda, with a motion to approve made by Commissioner Novak and a second to approve the motion made by Commissioner Allensworth.

VI. Consideration and possible action to award a construction manager-at-risk contract for the Capitol Complex Phase I Development, the 1601 Congress Building (Package 5), Project No. 17-017-8020 in Austin, Texas.

Chairman Thomas disclosed for the record that he and an employee of White Construction are personal family friends, thereafter, the Commission voted unanimously to approve a construction manager-at-risk contract to Charles N. White Construction Company dba White Construction Company in the amount of \$103,516,663.00 for the Capitol Complex Phase I Development, the 1601 Congress Building (Package 5), Project No. 17-017-8020 in Austin, Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Alvis.

VII. Consideration and possible action to award a construction manager-at-risk contract for utility relocation for the Capitol Complex Phase I Development, Project No. 17-008-8040.

Agenda Item VII was pulled from the meeting agenda.

VIII. Consideration and possible action to award a construction manager-at-risk contract for excavation services for the Capitol Complex Phase I Development, Project No. 16-018A-8001.

The Commission voted unanimously to approve a construction manager-at-risk contract to JE Dunn Construction, in the amount not to exceed \$24,102,019.00 for the Capitol Complex new buildings and Utility Infrastructure, Excavation Package (Package 1) Project No. 16-018A-8001, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

IX. Consideration and possible action to approve additional funding for the Netronix Integration Contract, under TFC RFP No. 303-6-00011.

The Commission voted unanimously to approve additional funding under TFC RFP No. 303-6-00011, in the amount of \$725,000.00 for the remainder of the two year term beginning September 1, 2017 and ending August 31, 2019, with a motion made by Commissioner Allensworth and a second to approve the motion made by Commissioner Novak.

X. Consideration and possible action to approve the 2018 Texas Capitol Complex Master Plan Update.

The Commission voted unanimously to approve the 2018 Texas Capitol Complex Master Plan Update, with a motion made by Commissioner Alvis and a second to approve the motion made by Commissioner Allensworth.

XI. Discussion of Capitol Complex Phase I Development by Balfour Beatty Construction, L.L.C.

Mr. Lou Saksen, Project Executive for Balfour Beatty, gave a brief summary report on the budget, schedule and how the project is going for the Capitol Complex Phase I.

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

Mr. John Raff, Interim Executive Director informed the Commission that the HR Director has been selected and will be starting on July 9, 2018. Thereafter, Chairman Thomas recognized and thanked Shyra Darr for all her hard work overseeing the HR Department.

1. Discussion of North Austin Complex Phase I Development by Facilities Design & Construction Project Management.

Mr. John Raff, Interim Executive Director gave a brief summary on the North Austin Complex, Phase 1. Mr. Raff informed the Commission Vaughn Construction has received their notice to proceed for construction and will begin on June 25th. Next, Mr. Raff informed the Commission that the ground breaking for the North Austin Complex has been set for July 10, 2018 at 9am.

2. Discussion of Texas School for the Deaf Toddler Learning Center and Central Services Center project by Facilities Design & Construction – Project Management.

Mr. John Raff, Interim Executive Director informed the Commission that both the architect of record and the construction manager-at-risk contract have been executed and is moving along according to the schedule. Thereafter, Chairman Thomas recognized Mr. John Raff for all his hard work.

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

1. Review and discussion of the report on the status of management’s implementation of audit recommendations as of April 30, 2018.

Ms. Amanda Jenami, Director of Internal Audit gave the report on the status of management’s implementation of audit recommendations as of April 30, 2018.

2. Review and discussion of the Office of Internal Audit’s (OIA) status report for the Third Quarter of fiscal year 2018.

Ms. Amanda Jenami, Director of Internal Audit gave the report of the Office of Internal Audit’s status report for the Third Quarter of fiscal year 2018.

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

Mr. Daniel Benjamin, Interim CFO, 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.

For the record, an updated copy of the monthly financial report was presented at the Commission meeting and a hard copy will be provided for the official meeting file.

XV. Consideration and possible action concerning two ground leases under Texas Government Code 2165.151.

No action was taken on this agenda item.

XVI. Consideration and possible action on the hiring of an Executive Director.

No action was taken on this agenda item.

XVII. 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.

Chairman Thomas recessed the meeting to convene in Executive Session at 10:16 a.m.

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

Chair Thomas reconvened the open meeting at 12:32 p.m.

XIX. Adjournment.

Chair Thomas adjourned the meeting at 12:32 p.m.

Reviewed and Submitted:

By: 
Naomi R. Gonzalez, Acting General Counsel

Approved by the Commission on July 19, 2018.

By: 
Robert D. Thomas, Chair