

CHAIR
Betty Reinbeck

COMMISSIONERS
William D. Darby
Douglas M. Hartman
Brant C. Ince
Virginia Hermosa
Michael Novak
Alvin Shaw



EXECUTIVE DIRECTOR
Terry Keel

TEXAS FACILITIES COMMISSION

Minutes No. 48: Minutes of the August 15, 2012, 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 15, 2012 commencing at 10:00 a.m. Chair Reinbeck presided, and Commissioners Hermosa, Darby, Ince, Hartman and Novak were also present. Commissioner Shaw was absent.

I. Call to Order.

Chair Reinbeck called the meeting to order at 10:04 a.m.

II. Approval of the minutes from the July 18, 2012 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 Darby. Commissioner Hartman abstained.

III. Public Comment.

Public comment was received on Agenda Item XIV.

IV. Award of Lease Recommendations and Summaries.

Leases and/or Amendments Pending Execution with Commencement Date on or after August 15, 2012.

Replacement Leases

- 1. #20347 – Texas Department of Insurance-Division of Workers' Compensation: Houston, TX.**
- 2. #303-3-20323-A – Department of Family and Protective Services: El Paso, TX.**

Renewals

- 3. #10440 – Health and Human Services Commission/Department of Family and Protective Services/Department of Aging and Disability Services: Alamo, TX.**

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

V. Consideration and possible action to approve a construction contract award for the Texas Department of Public Safety new area office Project No. 08-014-0405 in Rio Grande City, Texas and the Texas Department of Public Safety area office renovation Project No. 08-012A-0405 in McAllen, Texas.

The Commission voted unanimously to approve a construction contract award to CF Jordan Construction, LLC, in the amount of \$5,162,080.00 for the Texas Department of Public Safety New Area Office, Project No. 08-014-0405 Rio Grande City, Texas and the Texas Department of Public Safety Area Office Renovation, Project No. 08-012A-0405, McAllen, Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Hartman.

VI. Consideration and possible action to approve a construction contract award for fire pump replacement and fire sprinkler system improvements for the Lyndon B. Johnson Building Project No. 10-004-6302 and the William B. Travis and Stephen F. Austin Buildings Project No. 10-005-6303 in Austin, Texas.

The Commission voted unanimously to approve a construction contract award to Harvey Cleary Builders, in the amount of \$1,075,460.00 for the Fire Pump Replacement and Fire Sprinkler System Improvements, Project No. 10-004-6302, Lyndon B. Johnson Building, and Project No. 10-005-6303, William B. Travis Building and Stephen F. Austin Building, Austin, Texas, with a motion made by Commissioner Hartman and a second to approve the motion made by Commissioner Hermosa.

VII. Consideration and possible action to approve an architectural/engineering professional services contract for the renovation of fire protection, electrical, security, ADA, egress and mechanical systems at eleven buildings including the Department of Health Services Tower Project No. 12-004-6401, the Department of Rehabilitative Services Project No. 12-005-6402, the William P. Hobby Building Project No. 12-006-6403, the Robert E. Johnson Building Project No. 12-008-6405, the Thomas J. Rusk Building Project No. 12-009-6406, the William P. Clements Building Project No. 12-010-6407, the Brown Heatly Building Project No. 12-011-6408 and the Park 35 Complex Project No. 12-012-6409 in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional service contract to Atkins, in the amount of \$421,950.00 for the renovation of fire protection, electrical, security accessibility, egress and mechanical systems at eleven buildings, Project No. 12-004-6401 DSHS Tower, Project No. 12-005-6402 DARS, Project No. 12-006-6403 William P. Hobby Building, Project No. 12-008-6405 Robert E. Johnson Building, Project No. 12-009-6406 Thomas J. Rusk Building, Project No. 12-010-6407 William P. Clements Building, Project No. 12-011-6408 Brown Heatly Building and Project No. 12-012-6409 Park 35 Complex, Austin, Texas, with a motion made by Commissioner Hermosa and a second to approve the motion made by Commissioner Darby.

VIII. Consideration and possible action to approve an architectural/engineering professional services contract for the renovation of mechanical, electrical, plumbing, security, elevator, building envelope, and fire protection systems at four buildings including the Price Daniel Sr. Building Project No. 12-021-6418, the Insurance Building Project No. 12-022-6419, the

Supreme Court Building Project No. 12-023-6420 and John H. Reagan Building Project No. 12-024-6421 in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional service contract to Austin Architecture Plus., dba Architecture + Plus, in the amount of \$246,129.00 for the renovation of mechanical, electrical, plumbing, security, elevator, building exterior envelope systems and fire protection systems at four buildings including the Price Daniel Sr. Building Project No. 12-021-6418, the Insurance Building Project No. 12-022-6419, the Supreme Court Building Project No. 12-023-6420 and John H. Reagan Building Project No. 12-024-6421 in Austin, Texas, with a motion made by Commissioner Novak and a second to approve the motion made by Commissioner Ince.

IX. Consideration and possible action to approve an architectural/engineering professional services contract amendment for the renovation of mechanical, electrical, plumbing, and exterior envelope systems at three buildings including the William B. Travis Building Project No. 12-018-6415, the Lyndon B. Johnson Building Project No. 12-019-6416 and the Stephen F. Austin Building Project No. 12-020-6417 in Austin, Texas.

The Commission voted unanimously to approve an architectural/engineering professional service contract amendment to Tom Green & Company Engineers Inc., in the amount of \$78,000.00 for the renovation of mechanical, electrical, plumbing, and exterior envelope systems at three buildings including the William B. Travis Building Project No. 12-018-6415, the Lyndon B. Johnson Building Project No. 12-019-6416 and the Stephen F. Austin Building Project No. 12-020-6417 in Austin, Texas, with a motion made by Commissioner Ince and a second to approve the motion made by Commissioner Hermosa.

X. Report on the delegation of authority to the executive director pursuant to Commission policy to approve an asbestos abatement construction contract change order for the Texas School for the Blind and Visually Impaired Four New Buildings Project No. 08-013D-0771 in Austin, Texas.

Mr. John Raff, Director of Facilities Design & Construction, gave the Commission a brief update on the delegation of authority requested and granted by the Chair and Commissioners Hermosa and Darby, pursuant to Commission policy, for the Executive Director to approve an asbestos abatement change order for the Texas School for the Blind and Visually Impaired Four New Buildings Project No. 08-013D-0771 in Austin, Texas.

XI. Utility Infrastructure Improvement Plan presentation by Jacobs Engineering Group Inc.

Peter Maass, Director of Project Management, provided a brief update to the Commission on the Utility Infrastructure Improvement Plan commissioned by TFC to identify the utility infrastructure upgrade necessary to continue to provide reliable utility service to the Capitol Complex in Austin for the foreseeable future. Thereafter, Mr. Kevin Fox and Mr. Seth Kraal of Jacobs Engineering Group, Inc. gave a power point presentation to the Commission on the plan.

XII. Update from the Planning and Real Estate Management Division on facilities strategy and space utilization.

There was no update provided.

XIII. Report on the implementation of an integrated workplace management system and possible direction to the staff from the Commission, if necessary.

Mr. Peter Maass, Director of Project Management, gave the Commission a brief update on the results of the request for qualifications issued on July, 12, 2012, to the Department of Information Resources pre-approved vendors. After some discussion, the Commission directed staff to place the issuance of the award to the selected vendor on hold until the Energy Work Group could meet and review the project further.

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

Mr. Terry Keel, Executive Director, gave the Commission a brief update on the response letter to the General Land Office (GLO), dated August 10, 2012, regarding the review by the TFC of the GLO's September 2012 Draft Real Property Evaluation Report. In addition, Mr. Keel gave the Commission a brief update on a proposal received pursuant to the agency's Public-Private Partnership Guidelines for the Texas State Cemetery Annex property. At this time, Beau Armstrong, C.E.O. of Stratus Inc, addressed the Commission regarding this proposal.

XV. 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.

XVI. Consideration and possible action to approve the FY 14-15 Legislative Appropriations Request Exceptional Items and 10% Reductions.

The FY 14-15 Legislative Appropriations Request Exceptional Items and 10% Reduction was presented by Mr. Stan Korn. Thereafter, the Commission voted unanimously to approve the FY 14-15 Legislative Appropriations Request Exceptional Items and 10% Reduction with a motion to approve made by Commissioner Darby and a second to approve the motion made by Commissioner Hartman.

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

a. Review of the Office of Energy Management.

Mr. Mark Scott, Director of Internal Audit, updated the Commission on the review of the Office of Energy Management. In addition, Commissioner Hermosa reported that the Audit Work Group met on August 14, 2012, and discussed the Energy Management Audit and public private partnerships.

XVIII. Consideration and possible action to direct the Planning and Real Estate Management Division to perform a conceptual evaluation of an unsolicited proposal for development of State Parking Lot 7.

This item was discussed in Executive Session.

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.

Chair Reinbeck recesses the meeting to convene in Executive Session at 12:41pm.

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

Chair Reinbeck reconvened the meeting at 1:58pm.

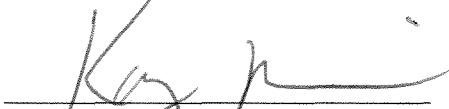
XXI. Consideration and possible action, if necessary, on any issue discussed during Executive Session.

In consideration of XVIII, the Commission unanimously voted to authorize the Planning and Real Estate Management staff to perform a conceptual evaluation of the unsolicited proposal submitted by the Austin Planetarium, in conjunction with KUD International LLC, for the development of State Parking Lot 7. The period for receipt of competitive proposals will be 60 days after posting, with a motion to approve made by Commissioner Ince and a second to approve the motion made by Commissioner Hermosa.

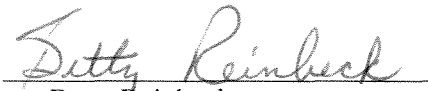
XXII. Adjournment.

Chair Reinbeck adjourned the meeting at 2:01pm.

Reviewed and Submitted:

By: 
Kay Molina
General Counsel

Approved by the Commission on the 9/19/12

By: 
Betty Reinbeck
Chair