



**Construction Advisory Committee
MINUTES**

**REGULAR MEETING
Tuesday, December 20, 2011**

**The Construction Advisory Committee convened in a regular meeting on Tuesday, December 20, 2011
City Hall, 301 W. 2nd Street, Boards and Commissions Room, Austin, Texas.**

Chairwoman Timm called the Board Meeting to order at 10:03 a.m.

Board Members in Attendance:

Emily Timm - Chairwoman
Eddie Hurst – Vice Chairman
Robert Drake
Suzanne Litz
Calvin Williams

Staff in Attendance:

Howard Lazarus, Director – Public Works Department
Susan Garnett, Program Coordinator - Public Works Department
Rolando Fernandez, Assistant Director - Contract Management Department
Frank Mays, Contract Administration Division Manager - Contract Management Department
Rick Wilson, Program Consultant – Contract Management Department
Debra Dibble – Assistant Director – Small and Minority Business Resources
Elton Price – Division Manager – Small and Minority Business Resources
Betsy Spencer – Director – Neighborhood Housing and Community Development
Regina Copic – Real Estate Development Manager - Neighborhood Housing and Community Development
Steven Ritchie – Construction and Development Manager - Neighborhood Housing and Community Development

1. CITIZEN COMMUNICATION: GENERAL

None

2. APPROVAL OF MINUTES

Minutes from the meeting of 11/15/11 were approved by Chairwoman Timm's motion, member Litz's second on a 5-0 vote.

3. NEW BUSINESS

- a. Possible action regarding OSHA training for Neighborhood Housing and Community Development (NHCD) was postponed until the March meeting.
- b. Betsy Spencer, Director of NHCD, informed the committee that she is currently unable to accommodate this request due to a lack of resources, and added that NHCD has voluntarily included in their Master Solicitation the requirement that at least one person from each contracting company conducting business with NHCD attend the OSHA 10-hour training.

Member Calvin Williams entered at 10:07 a.m.

Ms. Spencer continued by saying that all publicly owned NHCD property and public facilities do comply with current safety standards, and added that compliance by those companies who do privately-owned residential construction is voluntary. NHCD does, however, require that all contractors submit a safety plan. Chairwoman Timm suggested the possibility of requiring that each contractor have a supervisor with OSHA 30-hour training available on-site. Ms. Spencer stated that she would consider the recommendations and would like the opportunity to discuss this issue with the contractors to determine a reasonable solution for all and report back to the committee by March. The committee agreed and requested that NHCD provide documents which include the safety plan request and OSHA-10 requirement from the Master Solicitation to be electronically circulated among committee members.

4. OLD BUSINESS

- a. Frank Mays, Division Manager for Contract Management Department (CMD), provided the committee with a list of current repeat wage violation offenders and opened the topic for discussion. Chairwoman Timm requested that a column be added to the report to include subcontractors. After discussion regarding how a contractor could be penalized for repeated violations, Mr. Lazarus, Director of Public Works, recommended the committee invite EGRSO to provide a briefing on general provisions of the City's 3rd Party Agreements to which the committee agreed.
- b. Rick Wilson, Program Consultant for CMD, presented committee with a copy of the Contractor Performance Evaluation and briefed the committee on contractor ratings and the use of post-construction point system based on the most critical criteria. Committee and staff made several suggestions to improve the point system. Mr. Wilson informed the committee that further enhancements are forthcoming, with the goal of final completion by March 2012. Ms. Timm requested a copy of the detail worksheet for the committee's review by the January regular meeting. Ms. Litz asked if prevailing wage could be added to the evaluation in which Mr. Lazarus suggested could be handled by including an administrative fee to cover the City's cost of dealing with disputes resolutions.
- c. Rolando Fernandez, Assistant Director for CMD, presented a copy of the business plan for prevailing wage inspections to the committee and shared CMD's interest in hiring an FTE for educational purposes. Frank Mays, Division Manager for CMD, also briefed the committee regarding current prevailing wage issues. Mr. Hurst requested that safety training be included in the FTE that CMD

would like to add. Mr. Mays suggested to the committee that safety might be better handled by the Public Works Department's inspectors, but would also speak to his executive team to try to coordinate a discussion to get other department inspectors involved with prevailing wage and safety inspections. The committee requested a quarterly prevailing wage report from CMD along with an annual report in December.

5. FUTURE AGENDA ITEMS

- a. Staff will schedule a special called meeting in January 3, 2012 to outline the 2011-2012 Work Plan, as well as complete a memo to the Mayor and Council outlining accomplishments to date. Ms. Timm will provide staff with an electronic copy of the 2010-2011 Work Plan to be distributed to the committee before the January meeting.
- b. CMD will provide committee with an update on repeat wage violations.
- c. CMD will provide an update on wage enforcement.
- d. CMD will provide a list of companies certified as SBEs, identifying the newly certified SBEs from companies that have already existed.
- e. CMD will provide final update on Contract Evaluation Process regarding contractor ratings.
- f. Staff clarification of minutes.

6. NEXT MEETING (Special Called Meeting on January 3, 2012)

PLEASE NOTE: ALL REGULAR MEETINGS THAT DO NOT CONFLICT WITH THE COUNCIL WORK SESSION IN 2011 WILL BE HELD IN THE BOARDS AND COMMISSIONS ROOM (RM 1101) AT CITY HALL, 301 W. 2nd Street. ALL OTHER MEETINGS WILL BE HELD IN THE EXECUTIVE SESSION ROOM 1027.

7. ADJOURN

Meeting was adjourned at 11:56 a.m. by Chairwoman Timm.