



**Construction Advisory Committee
MINUTES**

**REGULAR MEETING
Tuesday, January 17, 2012**

The Construction Advisory Committee convened in a regular meeting on Tuesday, January 17, 2012, City Hall, 301 W. 2nd Street, Boards and Commissions Room, Austin, Texas.

Chairwoman Timm called the Board Meeting to order at 10:00 a.m.

Board Members in Attendance:

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

Staff in Attendance:

James Snow, Assistant Director – Public Works Department
Susan Garnett, Program Coordinator - Public Works Department
Fred Evins, Redevelopment Project Manager – Economic Growth and Recovery Services Office
Rosie Truelove, Director - Contract Management Department
Rolando Fernandez, Assistant Director - Contract Management Department
Barbara Kuhl, Division Manager - Contract Management Department
Edward Campos, Division Manager - Contract Management Department
Rick Wilson, Program Consultant – Contract Management Department
Russell Kyle, Contract Administrator - Contract Management Department

1. CITIZEN COMMUNICATION: GENERAL

None

2. APPROVAL OF MINUTES

Minutes from the meetings of 12/20/11 and 1/3/12 were approved by board member Prisant's motion, member Drake's second on a 4-0 vote.

3. NEW BUSINESS

Fred Evins, with Economic Growth and Recovery Services Office gave a presentation to the committee on

3rd party agreements. Mr. Evins explained that EGRSO deals with 3rd party agreements in which the City has participated in cost agreements for public/private redevelopment and can include construction of buildings meant for residential, commercial, industrial or civic uses.

Suzanne Litz entered at 10:02 a.m.

Mr. Evins gave examples of redevelopment projects on City real property and noted that those projects were likely of main concern to the committee. He informed the committee of the Council's 2008 adoption and recent updates of prevailing wage and OSHA safety training requirements in to the City's 3rd party agreements.

Calvin Williams entered at 10:05 a.m.

Mr. Evins explained that implementation and enforcement is still being developed and that the City currently does not have any projects in construction that those requirements apply to; however, some requirements will be incorporated in to current projects, such as the Green Water Treatment Plant and the Energy Control Center. The committee requested that Mr. Evins provide an electronic copy of the presentation to be distributed among its members, along with a list of any upcoming 3rd party agreements that should include the public costs versus private costs.

4. OLD BUSINESS

- a. The committee reviewed its Accomplishments and Recommendations Memo to Mayor and Council and discussed the recommendation that the City include an administrative fee for prevailing wage violations. The committee agreed to change the language to be broader by saying, "CMD investigate the legality and mechanism to make a contractor or employer responsible for administrative costs incurred for the investigation of wage disputes and to incorporate in to the appropriate City contracting documents." The recommendation was approved on a vote of 6-0 by member Prisant's motion, member Litz's second.
- b. The committee discussed the possibility of including a City auditor to sit in on the RFQ/RFP panel. Rolando Fernandez and Rosie Truelove addressed the committee by saying that the responsibility of reviewing the RFQ/RFP panel lies with the Contract Management Department. The committee agreed to change the language to read, "Include a standing invitation for the City's auditor office to monitor or audit the evaluation process for CMD led RFQs and RFPs." The language modification was passed on a vote of 4-1-1 by member Prisant's motion, member Drake's second, with Mr. Hurst against and Chairwoman Timm abstaining. The committee agreed to send the memo to Mayor and Council with the recorded changes.
- c. Ms. Timm requested that this item be moved to the regular meeting scheduled for April 17, 2012.
- d. Rolando Fernandez, Assistant Director for CMD, presented the committee with a report on contractors with repeat wage violations. The committee expressed disapproval at the lack of penalties for repeat offenders. Mr. Fernandez informed the committee of CMD's work to provide training to contractors to educate them on prevailing wages. Member Prisant suggested that CMD require this training for repeat violators.

- e. Rick Wilson, Program Consultant for CMD, presented the committee with updates to the Contract Evaluation Process. The committee recommended that VCAPs be included in the process. Mr. Wilson said he would look in to the possibility of that recommendation and update the committee again in February.

5. FUTURE AGENDA ITEMS

- a. PWD will provide a list of the types of professional and construction work that is self-performed by the City.
- b. Committee will investigate the mechanisms available to prohibit repeat offenders with multiple VCAPs from acquiring City contracts.
- c. CMD will update the committee on the JOC program.
- d. CMD will provide committee with an update on repeat wage violations.
- e. CMD will provide final update on Contract Evaluation Process regarding contractor ratings.
- f. Staff clarification of minutes.

6. NEXT MEETING (February 21, 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 12:00 p.m. by Chairwoman Timm.