



**Construction Advisory Committee
MINUTES**

**REGULAR MEETING
Tuesday, February 21, 2012**

The Construction Advisory Committee convened in a regular meeting on Tuesday, February 21, 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
Robert Drake
Suzanne Litz
Martin Prisant

Staff in Attendance:

Howard Lazarus, Director - Public Works Department
Susan Garnett, Program Coordinator - Public Works Department
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
Andrea Pimental, Contract Compliance Specialist - Contract Management Department
Steven Ritchie, Construction and Development Manager – Neighborhood Housing and Community Development

1. CITIZEN COMMUNICATION: GENERAL

None

2. APPROVAL OF MINUTES

Minutes from the meetings of 1/17/11 were approved by board member Litz's motion, member Prisant's second on a 4-0 vote.

3. NEW BUSINESS

Howard Lazarus, Director of the Public Works Department, presented the committee with a list of different types of work the City performs in-house and suggested the committee take time to review the list of work and present staff with questions at a later date.

4. OLD BUSINESS

- a. Rolando Fernandez, Assistant Director for the Contract Management Department (CMD), updated the committee on staff's continuing efforts to assess an administrative fee to repeat prevailing wage offenders who have multiple VCAPs. Mr. Fernandez told the committee he had received feedback from the department's legal advisors, but would like to follow up on that information with Legal for further clarification. Rosie Truelove, Director of CMD, agreed to return to the committee in March with a conclusive response based on final conversations with Legal.
- b. Steve Ritchie, Construction and Development Manager for Neighborhood Housing and Community Development (NHCD), updated the committee on NHCD's progress with OSHA 10/30 training and presented a copy of a solicitation agreement to the committee with updates that include this requirement. The committee asked how NHCD would enforce this requirement. Mr. Lazarus responded that the contract manager would monitor all contracts and notify the contractor of any non-compliance with the potential to stop work until contract requirements are met. Mr. Ritchie added that NHCD would include this requirement in all solicitations going forward. Speaking on behalf of the committee, Ms. Timm expressed approval of NHCD's effort and requested an update on the implementation of the program in the summer.
- c. Barbara Kuhl, Division Manager for CMD, gave a brief description of the Job Order Contract (JOC) Program. Ms. Kuhl presented the committee with an update on all JOC projects and added that the next JOC solicitation will occur in spring 2012. Edward Campos, Contract Relations Division Manager with CMD, addressed the committee on some changes CMD is looking in to for the JOC program, including the increase of contract amounts. Mr. Lazarus explained that this would need to be completely vetted before any decision is made and presented to the committee.
- d. Mr. Fernandez updated the committee on repeat wage violations in which he said no changes had occurred since the previous month. Mr. Fernandez then addressed the job classifications, which the committee had provided prior feedback to, and explained that a final decision was made to approve the recommended wage.
- e. Rick Wilson, Program Consultant for CMD, presented an update on the Contract Evaluation Process regarding contractor ratings. Mr. Wilson pointed out an enhancement to the Contractor Evaluation Form for wage compliance which will include VCAPs as a tool for measurement in the evaluation process. He explained that it will not be used to penalize the contractor, but will record the ongoing issues of wage compliance and provide the opportunity for the contractor to correct any mistakes that occurred. Mr. Lazarus added that the measurement will be considered on a case by case basis because of the context sensitive nature of each contract. Mr. Wilson included that training will be provided to staff participating in the evaluation process, and that CMD has and will continue to provide education to the subcontractors on how they will be evaluated. Ms. Timm requested that the committee review the training materials and final evaluation form by June 2012.

5. FUTURE AGENDA ITEMS

- a. Committee requested the PWD Director's report as a regular agenda item going forward.
- b. Committee would like to review and take possible action regarding CMD staffing requirements and compliance processes.

- c. Committee requested that CMD staff provide a briefing on final discussions with the City's legal team regarding the assessment of an administrative fee for prevailing wage non-compliance, as well as penalty options for contractors who have multiple VCAPs.
- d. PWD will update committee on the implementation of the OSHA 10/30 training for City construction sites.
- e. Committee requested an update from PDR in April regarding implementation of OSHA 10/30 training for City safety inspectors on private sites.
- f. PWD will provide a budget briefing to the committee in April.

6. NEXT MEETING (March 20, 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 11:24 p.m. by Chairwoman Timm.