



TEXAS SOUTHMOST COLLEGE DISTRICT
THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

80 Fort Brown • Brownsville, Texas 78520 • (956) 882-3879 • Fax: (956) 882-8811 • <http://blue.utb.edu/vppa>

Board of Trustees

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Eduardo A. Campirano

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Roberto Robles, M.D.

Secretary

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Chester Gonzalez

Rosemary Breedlove

René Torres

UTB/TSC President

Juliet V. Garcia, Ph.D

Official Notice of the

**Texas Southmost College District
Regular Meeting**

for
June 18, 2009

Posted

June 15, 2009

AGENDA

The Board of Trustees of the Texas Southmost College District will convene **Thursday, June 18, 2009, at 5:30 p.m.** in the Gorgas Board Room at The University of Texas at Brownsville and Texas Southmost College, 80 Fort Brown, Brownsville, Texas 78520.

Call to Order

1 Announcements

Introduction of New Vice President for Economic Development and Community Services

Introduction of New Director of Alumni Relations

2 Speakers to Agenda Items and Public Discussion

3 Approval of minutes of previous meetings

Consideration and possible action on:

Regular Meeting, May 14, 2009

ACCEPTED FOR FILING
BROWNSVILLE COUNTY
2009 JUN 15 PM 3:25

4 Board Briefing

Athletics Update
Dr. Hilda Silva, Vice President for Student Affairs

5 Executive Session

as provided by Government Code, Chapter 551.071, .074

Personnel

Evaluation of the UTB/TSC President

Legal Matters

6 Consideration and possible action on matters discussed in Executive Session

Personnel

Evaluation of the UTB/TSC President

Legal Matters

7 Bond Projects

Consideration and possible action on:

Report Selection of Architect for the Oliveira Library Renovation

8 Physical Facilities Committee

Consideration and possible action on:

Report Award a Contract for Moving Services of Library Material
Approval of Change Order to Contract with Skanska USA for the Library Mural
Purchase of Furniture for the Center for Early Childhood Studies through a contract with Workplace Resource
Award a Contract with Furniture Fixture TXMAS -3-71111040 to Purchase Dining Hall Furniture for the Center for Early Childhood Studies
Award a Contract with Community Playthings to Purchase Classroom Furniture for the Center for Early Childhood Studies
Approval of Change Order to RGV Paint Center and Construction for the Center for Early Childhood Studies Project

9 Business Affairs Partnership Committee

Consideration and possible action on:

Report

Approval of Contract with Design Build Solutions for the Roof at the ITEC Center Cameron Works

Approval of Change Order to Design Build Solutions for the Fort Brown Memorial Center Roof

Approval of Bid for Rusteberg Electrical Upgrades

Approval on the Purchase of a New Cooling Tower Cell with Johnson Controls TX MAS 05-03FAC020

First Reading of the TSC District Budget for Fiscal Year 2009-2010

First Reading of Board Policy V-D: Investment

Selection of Bank Depository for Fiscal Years 2010 and 2011

Approval of Budget Amendments for FY 2009

Presentation on UTB/TSC Budget for Fiscal Year 2009-2010

10 Bond Issuance

Consideration and possible action on:

Order Authorizing the Issuance of "Texas Southmost College District Limited Tax Bonds, Series 2009"; Entering into a Bond Purchase Agreement and a Paying Agent/Registrar Agreement; Approving an Official Statement and Authorizing and Approving Other Matters Related Thereto

Resolution Authorizing the Issuance of "Texas Southmost College District Maintenance Tax Notes, Series 2009"; Entering into a Purchase Contract and a Paying Agent/ Registrar Agreement; Approving an Official Statement; and Authorizing and Approving Other Matters Related Thereto

11 Construction Report

Commissary Building, Campus Security Center, Commandant's Quarters, Cavalry Renovation, Ringgold Sidewalk, 21st Street Parking Lot, Center for Early Childhood Studies, Arts Center, Science & Technology Learning Center, REK Center Parking Lot

12 President's Report

Bachelor of Science in Nursing Program Receives National Award, AmeriCorps Formula Grant, Scorpion Saturday, Scorpionation, Music Students to Attend Summer Programs

13 Proposed Meeting Dates

Board Meetings:

July – No Meeting

Thursday, August 20, 2009

Special Meeting – 5:00 p.m.

Thursday, August 27, 2009

Thursday, September 3, 2009

Public Hearing – 5:00 p.m.

Tuesday, September 8, 2009

Public Hearing – 5:00 p.m.

Thursday, September 17, 2009

Thursday, October 29, 2009

Thursday, November 19, 2009

Thursday, December 17, 2009

Adjournment

Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

May 14, 2009

The Board of Trustees of the Texas Southmost College District convened in open session on May 14, 2009, at 5:30 p.m., in the Board Room of Gorgas Hall, The University of Texas at Brownsville and Texas Southmost College. Board members present were David Oliveira, Chair, Eduardo A. Campirano, Vice Chair, Dr. Roberto Robles, Secretary, Chester Gonzalez, Rosemary Breedlove, René Torres, and Adela Garza. Also present was Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College.

Call to Order

The meeting was called to order by Chairman Oliveira at 5:35 p.m.

1. Announcements

Dr. García called on Dr. Ruth Anne Ragland, Vice President for Institutional Advancement to introduce the new Associate Vice President for Development, Ken Turpen. Dr. Ragland provided a brief biography on Mr. Turpen, and outlined his role at UTB/TSC.

2. Speakers to the Items and Public Discussion

There were no speakers.

3. Acceptance of Gift and Resolution

Consideration and possible action on adoption of resolution naming The Arts Center Box A “The Charles and Elizabeth Stillman Box”

Dr. Ruth Ann Ragland, Vice President for Institutional Advancement, announced the acceptance of a gift from Charles and Elizabeth Stillman. Dr. Ragland provided a brief biography of the Stillman's describing their work as community leaders in promoting education, economic development, and the fine arts. She informed the Board that the donors were not present at the meeting, but publicly thanked them for making this important contribution. Mr. Oliveira then read a resolution honoring the Stillman's, noting that a copy of the resolution and a framed portrait of The Arts Center would subsequently be presented to them.

A motion was made by Dr. Robles to adopt the resolution naming The Arts Center Box A “The Charles and Elizabeth Stillman Box,” as presented. The motion was seconded by Ms. Breedlove and carried unanimously. Exhibit “A”

4. Approval of Minutes of Previous Meeting

Consideration and possible action on Minutes of Regular Meeting on April 23, 2009

A motion was made by Mr. Campirano to approve the Minutes of the Regular Meeting on April 23, 2009. The motion was seconded by Mr. Torres and carried unanimously.

5. Board Briefing

Dr. García called on Dr. Charles Dameron, Vice President for Academic Affairs, who introduced Mr. Edward Argueta, Principal for the Mathematics & Science Academy (MSA). Mr. Argueta told the Board that MSA's class of 2009, its first graduating class, consisted of twenty-four high school students from the Brownsville and Los Fresnos area who have now completed their two years at UTB/TSC. These students completed 64 hours of college course work and maintained an average 3.56 GPA. Four of the students maintained a 4.0 GPA. Mr. Argueta noted that the students integrated very well into the college campus community, engaging in numerous extracurricular activities. Mr. Argueta proudly announced to the Board that the Mathematics & Science Academy class of 2009 will be receiving their high school diplomas during spring commencement on Saturday, May 16, 2009.

6. Executive Session

as provided by Government
Code, Chapter 551.071-072

The Board considered two contracts and resolutions for purchase of real estate: Lot 1, Block 1, University Park Subdivision, Brownsville, Texas; and Lots 21 and 22, Block 10 Colonia AltaVista Subdivision, Brownsville, Texas. The Board also considered one Legal matter: To Authorize the funding of a security contract through UTB/TSC for the New Library and Classroom Buildings.

The Board convened in Executive Session at 6:42 p.m.

The Board reconvened in Regular Session at 7:30 p.m.

7. Consideration and possible action on matters discussed in Executive Session

**Contract and resolution for purchase
Lot 1, Block 1, University Park Subdivision,
Brownsville, Texas**

A motion was made by Mr. Gonzalez to approve the earnest money contract and resolution for the acquisition of Lot 1, Block 1, University Park Subdivision in the amount of \$73,637 as presented. The motion was seconded by Ms. Breedlove and carried unanimously. *Exhibit "B"*

**Contract and resolution for purchase
of Lots 21 and 22, Block 10, Colonia AltaVista Subdivision,
Brownsville, Texas**

A motion was made by Ms. Breedlove to approve the earnest money contract and resolution for the acquisition of Lots 21 and 22, Block 10, Colonia AltaVista Subdivision in the amount of \$65,000 as presented. The motion was seconded by Ms. Garza and carried unanimously. *Exhibit "C"*

**Authorization of funding of a security contract through
UTB/TSC for the New Library and Classroom Buildings**

A motion was made by Mr. Torres to authorize the funding of a security contract through UTB/TSC for the New Library and Classroom Buildings in the amount of \$ 62,132 as presented. The motion was seconded by Ms. Breedlove and carried unanimously. *Exhibit "D"*

8. Physical Facilities Committee

Report

Mr. Oliveira called on Chester Gonzalez to make the report. Mr. Gonzalez reported that the Physical Facilities Committee met on Thursday, May 7, 2009. The following items were discussed for recommendation:

**Consideration and possible action on
the award of a contract for the netting support system
for the REK Center site.**

A motion was made by Mr. Gonzalez to accept a contract to purchase and install a netting support system for the REK Center with Net Connection, Inc., in the amount of \$73,492 and authorize the Assistant Vice President for Planning and Construction to execute the contract. The motion was seconded by Mr. Torres and carried unanimously. *Exhibit "E"*

**Accept a change order
to the contract with Skanska USA for the library mural**

The change order with Skanska USA for the Library mural was tabled.

**To approve substantial completion of
the New Library and the Classroom**

A motion was made by Mr. Gonzalez to approve substantial completion of the New Library and the Classroom and authorize the Assistant Vice President for Planning and Construction to close the project upon completion of the punch list items. The motion was seconded by Mr. Campirano and carried unanimously. *Exhibit "F"*

9. Construction Report

Dr. Pearson reported the following:

- Renovations at the Campus Security Center are complete.
- Work continues at the Commissary Building. The door frames and molding are installed. Projected completion is fall 2009.
- Interior work on the Commandant's Quarters continues. Replication of the historical molding and drywall is installed. The exterior is complete.
- A sidewalk from the Student Union to the REK Center is nearing completion. Light posts are installed and landscaping will be added in the next two weeks.
- Renovation in the Cavalry building is in progress. The historical ceiling beams were reinforced with screws and 16 ft. studs have been installed.
- The parking lot adjacent to the Amphitheatre is complete. The sod and landscaping are also complete.
- The parking lot on 21st Street is in progress. The sub-base for the curbs, sidewalks, and asphalt is being installed.
- Work at the Center for Early Childhood Studies continues. The administration building is complete, a fence has been installed, and interior work in the casitas is in progress.
- Work continues at the Arts Center. The columns and theatrical system have been installed. The project is on schedule for completion late this year.
- Work at the Science, Technology Learning Center building is now in progress. Excavation and drilling for the pillars to the South building has begun.
- The REK Center parking lot is under construction. Lime is being poured to prepare for the asphalt. Projected completion is July 2009.

10. President's Report

Dr. Garcia reported the following:

- The N1H1 Public Forum convened on May 1, 2009, at the SET-B Lecture Hall. A panel of campus experts addressed the status of the influenza, and safety precautions and procedures, and questions from the community were answered.
- The Associate Degree in Nursing program, held its annual pinning ceremony on May 8, 2009, at the Jacob Brown Auditorium. There were 95 students in the graduating class. Dr. Garcia congratulated Professor Joe Lacher, staff and the ADN students for their passing rate of 96.5%, which is above both the state and national averages.

- The UTB/TSC Ring Ceremony was held on May 8, 2009, at El Gran Salon. This spring semester there were 72 rings purchased by graduating students. Additionally, leadership rings were awarded to three outstanding young women: Katie Japp, Rosalinda Olivo, and Crystal Olivo. They will be graduating this spring.
- Dr. Manuel G. Guajardo and John C. Hunter will be honored as UTB/TSC Distinguished Alumni, and Dr. Bill Davis will be recognized as the recipient of the 2009 Chancellor's Council Outstanding Teaching Award. The ceremony will take place on May 15, 2009, at 6:00 pm, at the SET-B Lecture Hall.
- The 17th UTB/TSC commencement ceremony will be held at 8:00 a.m. on Saturday, May 16, 2009.

11. Proposed Meeting Dates

Thursday, June 18, 2009

July-No Meeting

Thursday, August 27, 2009

Thursday, September 17, 2009

Adjournment

The meeting was adjourned by Chairman Oliveira at 8:13 p.m.

Mr. David G. Oliveira
Chairman, Board of Trustees

Roberto Robles, M.D.
Secretary, Board of Trustees

NOTE: The tape of the Regular Board of Trustees meeting held on May 14, 2009 is on file at the District Office of the Texas Southmost College District. The master tape is on file at the UTB/TSC Media center. These minutes were taken and transcribed by Gloria Miranda, Administrative Assistant. Videotaping of the Board of Trustees' meetings began on April 11, 1996. They are aired on Channel KBSD in cooperation with the Brownsville Independent School District.



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Planning and Construction/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on architect selection for the Oliveira Library renovation.	
Rationale/Background: Progress continues in the construction of the bond projects. The REK Center is now operational, the Classroom and the Library construction is complete and the facilities will be opening for classes in the fall semester. It is now time to move forward with the last bond project renovation of the Oliveira Library. The office for Planning and Construction requested qualifications for architectural services for the Oliveira Library renovation. Interested firms were asked to provide a statement of qualification according to a selection criteria provided in the request for qualifications. Fourteen firms expressed interest in being the project architect for the renovation. The qualifications for each firm were evaluated by a campus committee that included Dr. Jose Martin, Dr. Wayne Moore, Ms. Veronica Mendez, and Ms. Diana Bravo-Gonzalez and Mr. Gilbert Gallegos from Broaddus & Associates. As per the committee recommendation, three firms were invited to make a presentation to the Board Bond Advisory Committee (BBAC) and other campus committees. The firms were: Boltinghouse Simpson, PBK architects and Roberto Ruiz. The BBAC met on June 9, 2009 to interview the top three firms, evaluate their qualifications of and formulate a recommendation for selection of a firm to the TSC Board of Trustees.	
Recommended Action: Motion to select PBK Architects and ACR Engineering as the architectural design team for the Oliveira project renovation and to authorize the Assistant Vice President for Planning and Construction to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:	
Attachments (List):	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Planning and Construction / Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on a contract for moving services of library material	
Rationale/Background: As the construction phase for the New Library achieved substantial completion, it is time to plan for the move of library material to the new facility. A request for proposals for moving services of library material was issued according to Texas Southmost College Board policies for purchasing bids. The scope of work includes the relocation of 200,000 books collections (approximately 13,357 LF) from Oliveira Library to the New Library building. Books will be moved from the general collection, oversize collection, reference collection, bound periodicals and learning resource center. Moving services include packing, loading, transporting and unloading of all mentioned collections from the present shelves to the New Library. Proposals were received June 1, 2009 and evaluated by an evaluation committee that included Mr. Doug Ferrier, Dean for Instructional Services, Ms. Mabel Hockaday, Assistant Director for the Library, Ms. Annabel Trevino, Manager of Circulation and Reserves for the Library, Ms. Diana Bravo Gonzalez, Bond Project Manager, Ms. Veronica Mendez, Assistant Vice President for Planning and Construction and Ms. Linda Ufland, Operations Manager for the Office for Planning and Construction. The review committee recommends awarding the proposal to Jones Moving and Storage Co. in the amount of \$24,055.93 includes all equipment and labor for the services. This item will be presented to the Physical Facilities Committee at their meeting on June 16, 2009.	
Recommended Action: Motion to accept a contract from Jones Moving and Storage Co. in the amount of \$24,055.93 and authorize the Assistant Vice President for Planning and Construction to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain: New Library Budget	
Attachments (List): 1. Evaluation Committee Recommendation 2. Evaluation Matrix 3. Bid Tabulation 4. Recommended Proposal	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____

Texas Southmost College District

RFP Moving Services for Library Material TSC RFP 09-13

Evaluation Matrix

Evaluation Team		Jones Moving & Storage Co.				Library Design Systems, Inc.			
	Vendor Qualifications	Past Performance	Proposed Services	Pricing	Vendor Qualifications	Past Performance	Proposed Services	Pricing	
Evaluator 1	15	17	20	45	15	20	20	25	
Evaluator 2	15	15	20	45	15	20	20	30	
Evaluator 3	15	18	20	45	15	20	20	15	
Evaluator 4	7	8	10	40	18	18	18	35	
Evaluator 5	8	6	8	40	15	18	19	35	
Score	60	64	78	215	78	96	97	140	
Total Points	417				411				
Evaluation Team		Gulf Moving Services							
	Vendor Qualifications	Past Performance	Proposed Services	Pricing					
Evaluator 1	15	5	20	5					
Evaluator 2	15	15	15	20					
Evaluator 3	15	10	18	0					
Evaluator 4	8	7	8	15					
Evaluator 5	4	6	8	15					
Score	57	43	69	55					
Total Points	224								

Texas Southmost College

RFP Moving Services for Library Material TSC RFP 09-13

Proposal Tabulation

Advertisement dates: May 8 and May 15, 2009

RFP Opening date: June 1, 2009 at 2:00 p.m.

	Bidders Name	Bond (Y/N)	Add 1 Rec'd	Add 2 Rec'd	Proposal Amount	Completion of Services Proposed Timeframe
1	Jones Moving & Storage Co.	Y	Y	Y	\$ 24,055.93	3 days
2	Library Design Systems, Inc.	Y	Y	Y	\$ 42,257.60	9 days
3	Gulf Moving Systems	Y	Y	Y	\$ 79,960.00	9 days

JONES MOVING & STORAGE CO.

2404 WILSON RD. (78552) - P.O. BOX 631 (78551)
HARLINGEN, TEXAS

SINCE 1922 ■ 956-423-6030 800-684-3894 956-423-4328 Fax ■ www.jonesmoving.com

Patricia G. Sanchez, Senior Buyer
Texas Southmost College
Office for Planning and Construction
1301 E Madison St.
Brownsville, Texas 78520

June 1, 2009

956-882-4311
956-882-4316 Fax

REF: RFP No. TSC RFP09-13
Moving Services for Library Material

Ms. Sanchez:

Thank you for allowing us to offer our services on the relocation of your library materials from Oliviera Library on Ft. Brown St. to the new library on University Blvd. in Brownsville.

Attached you will find the narratives, illustrations and exhibits required for the RFP and our check in the amount of 5% of the bid amount has been attached to the first of the five copies of the proposal.

We look forward to working with you on this relocation.



Jack McNally
Sales Manager
Jones Moving & Storage Co.
2404 Wilson Road
Harlingen, Texas 78552
Employer ID# 74-0716557

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JONES MOVING & STORAGE CO.

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■ www.jonesmoving.com

Qualifications

Vendor Qualification:

Jones Moving & Storage Co. has provided South Texas with professional moving and storage services since 1922. We have been an agent for Mayflower van line since 1934. We have a reputation for providing good service at a reasonable cost, for living up to our promises, fulfilling our obligations and for treating our customers fairly. As the oldest and largest moving company in the Rio Grande Valley, Jones is one of the few movers in South Texas with the manpower and experience to handle major commercial relocations such as hospitals, large office buildings and high-rise residential and hotel facilities.

The preparer of this bid is the sales manager who has been with the company for 29 years and was responsible for bidding all of the projects noted below. Jones regular staff includes 30 moving personnel and 8 administrative staff. Most of our employees have been with us for three years or more and several have more than twenty five years of service. All employees receive regular training in their particular field of work skills and safety practices. Prior to their employment, they are thoroughly screened, past employers are contacted and backgrounds are checked. Due to the volume of relocations we perform for law enforcement and other security conscious federal and state offices, most of our employees have undergone repeated background checks for the FBI, DEA, ICE, and Secret Service.

Past Performance:

A resume of some of our larger projects includes:

Date	Account/Address	Contact	Services Performed
2008	Sunchase Condos S. Padre Island, TX	Josh Krone Interstate Restore 5700 Stratum Dr Ft Worth, TX 76137 817-293-0035	Packed transported stored and redelivered 51 condos following Hurricane Dolly 2008
2007	US Border Patrol Brownsville, TX	Reymundo Carr 956-289-4972	Relocated Sector Facility From 1124 Central Blvd To W FM 511 Brownsville
2006	US Border Patrol McAllen Airport McAllen, TX.	Chris Gilstrap (956) 984-3819 (956) 227-7200	Relocation of Multiple USBP facilities from McAllen to Edinburg, TX.
2005	UTB/TSC Brownsville, TX	Irma Cavazos Physical Plant (956)882-5900	Relocated Biology Lab

2002	AEP Pharr/McAllen Offices/Plant	Kathleen Tower (361) 215-2610	Relocation of Power Company Facilities Within Pharr/McAllen
2000	Doctors' Hospital, Laredo c/o Universal Health 403 Tuckahoe Rd Woodbine, N.J. 08270	Robert Decker (609)476-4190 (609)476-4950 Fx	Receive, redeliver and install furnishings and fixtures. Relocate existing equipment
1999	Federal Building Brownsville c/o GSA 819 Taylor St Rm 12A20 Ft. Worth, Texas 76102	Danny Sawyer GSA (817)978-2841 (817)978-8391 Fx	GS-07F-99-35H Relocated all offices and courtrooms from multiple locations to a new three floor courthouse
1998	Tx State Bank-McAllen c/o Polson Coats & Assoc 50 Briar Hollow Ln Houston, Tx 77027	Steve Coats (713)627-3007	Relocated all offices from multiple locations into new 7 floor bank tower in McAllen, Texas
1998	Columbia HCA Med Ctr 100-A Alton Gloor Rd Brownsville, Tx 78521	Kenney Sewell (956)350-7830	Relocated 130 bed hospital facility in Brownsville, Tx
1997	Edinburg Hospital c/o Universal Health P.O. Box 61558 King of Prussia, Pa	Clark Saylor (610)768-3441 (610)768-3338	Relocated 140 bed hospital facility in Edinburg, Tx
1996-'97	GSA (7PM) Public Bldgs Services 819 Taylor St Rm 12A20 Ft. Worth, Tx 76102	Ada Deaver (817)978-4336 (817)978-8391 Fx	GS-07P-96-HVD0091 relocate various govt offices in the region from Corpus Christi to Laredo
1996	McAllen Medical Ctr c/o Universal Health 403 Tuckahoe Rd Woodbine, N.J. 08270	Robert Decker (609)476-4190 (609)476-4950Fx	Receive, redeliver and install furnishings and fixtures for new wing of McAllen Medical Ctr

1996	G.S.A. 320 N Main Rm 106 McAllen, Tx 78501	Louis Carroll (956)618-8125 (956)618-8129Fx	Transfer Customs, INS FDA, USDA local offices GS-07P-96-UJC0033
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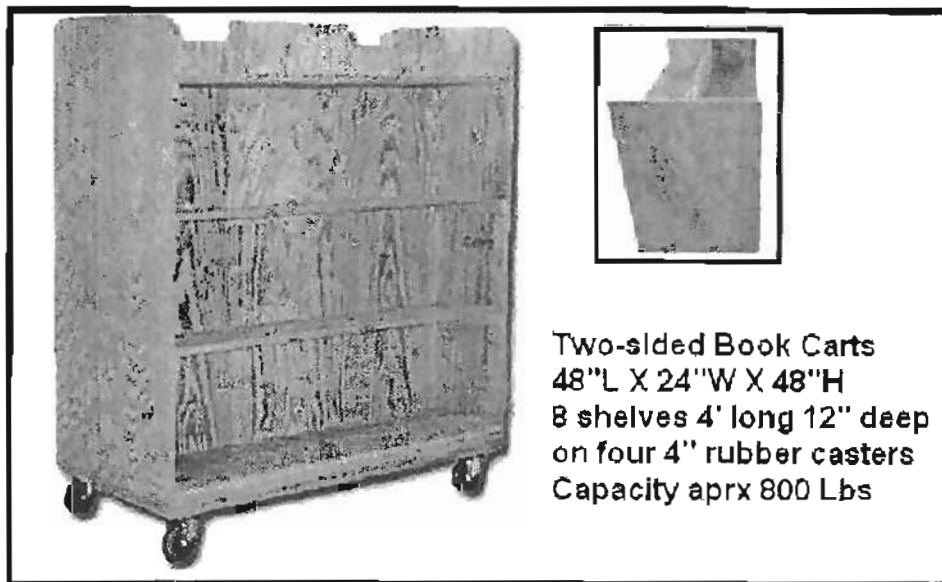
1990 * Weslaco Housing Authority - asbestos removal from the 7 floor hi-rise required client relocations. We packed, removed, stored and redelivered all residential furnishings and personal effects. The project required three shifts per day to minimize inconvenience to residents of the facility

1988 * McAllen Methodist Hospital - became McAllen Medical Center. Moved contents of the 8 floor hospital building from its downtown location to a new 6 story building on the expressway

1986 * Sheraton South Padre Island - received, delivered and installed furnishings for the twelve floor hi-rise hotel complex

Proposed Services:

Manpower: 7 men and a supervisor at origin, 7 men and a supervisor at destination, 3 drivers
 Work time: 3 days at 8.5 hour/day (including travel time)
 Equipment: 3 bobtail trucks, 100 two-sided book carts, building protection materials



Four men at origin will shelve and wrap books onto book carts (32 linear ft per cart). One man will run the elevator. Two men and a driver will place carts into the bobtail. Each trip will accommodate 20 carts. The process will be reversed at the other end. Carts will be numbered sequentially, kept in order between origin and destination, delivered to the shelves per the instructions of the owner and sequentially placed

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Pricing Proposal

Exhibit A

RESPONDENT'S PRICING AND DELIVERY PROPOSAL FORM

To: Texas Southmost College
1301 E. Madison St.
Brownsville, Texas 78520

Moving Services for Library Material

Proposals are due: Thursday, May 28, 2009 at 2:00 PM at the Office for Planning and Construction, 1301 E. Madison St.; Brownsville, TX 78520.

Note: Mark outside of envelope:

Proposal For: Moving Services for Library Material (title of project)

I have received the documents titled Moving Services for Library Material
(title of project) and drawings dated May 8, 2009

I have received Addenda No. (s) 1&2, and I have included their provisions in my bid. I have examined both the documents and the site.

In submitting this bid, I agree:

1. To hold price open for a period of ninety (90) days after the Proposal Opening date.
2. To accept the provisions of the Instructions to Bidders regarding dispositions of the Bid Security.
3. To enter into and execute a Contract with Texas Southmost College, if awarded on the basis of the Proposal, and to furnish Bonds if required, in accordance with the owners requirements and Instructions to Bidders.
4. To accomplish the work in accordance with the Specifications and Drawings provided
5. To attend a preliminary meeting with the owner on the following estimated date:
Friday, July 10, 2009
6. To commence moving services on the following estimated date:
Friday, August 14, 2009
7. To complete the services within nine (9) calendar days after first day of work or no later than Sunday, August 23, 2009.

Exhibit A

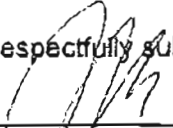
In compliance with the above, I propose to perform all work required for the described project scope of work as follows:

Pricing Form	
Description	Cost
Moving Services (labor, material, equipment):	\$21,869.03
Other (specify):	N/A
Subtotal	\$21,869.03
10% Contingency	\$ 2,186.90
Total	\$24,055.93

Note: Contingency amount is for owner's use only. It cannot be used without owner's approval.

In submitting this proposal, I certify that Jones Moving & Storage Co. (name of firm) has not been found guilty in a judicial or state administrative agency proceeding for unfair business practices within the year preceding the date of this statement. I further certify that no officer of Jones Moving & Storage Co. (name of firm) has served, within the past years as an officer of another company which has been found guilty in a judicial or state administrative agency proceeding of unfair business practice.

Respectfully submitted,


 Sales Manager

 By: Signature and Title
 June 1, 2009

 Date

Jones Moving & Storage Co.

 Firm
 2404 Wilson Road

 Address
 Harlingen

 City
 Texas

 State
 956-423-6030 956-423-4328 Fax

 Phone Number

JONES MOVING & STORAGE Co.

2404 WILSON RD. (78552) - P.O. BOX 631 (78551)
HARLINGEN, TEXAS

SINCE 1922

▪ 956-423-6030

800-684-3894

956-423-4328 Fax

▪ www.jonesmoving.com

Execution of Offer

Exhibit B

EXECUTION OF OFFER

THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED AND RETURNED WITH PROPOSER'S PROPOSAL. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE PROPOSER'S PROPOSAL MAY RESULT IN THE REJECTION OF THE PROPOSAL.

- 2.1 By signature hereon, Proposer represents and warrants the following:
- 2.1.1 Proposer acknowledges and agrees that (1) this RFP is a solicitation for a proposal and is not a contract or an offer to contract; (2) the submission of a proposal by Proposer in response to this RFP will not create a contract between Texas Southmost College (TSC) and Proposer; (3) College has made no representation or warranty, written or oral, that one or more contracts with College will be awarded under this RFP; and (4) Proposer will bear, as its sole risk and responsibility, any cost arising from Proposer's preparation of a response to this RFP.
 - 2.1.2 Proposer is a reputable company that is lawfully and regularly engaged in providing the Services.
 - 2.1.3 Proposer has the necessary experience, knowledge, abilities, skills, and resources to perform the Services.
 - 2.1.4 Proposer is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances.
 - 2.1.5 Proposer understands (i) the requirements and specifications set forth in this RFP and (ii) the terms and conditions set forth in the Agreement under which Proposer will be required to operate.
 - 2.1.6 If selected by TSC, Proposer will not delegate any of its duties or responsibilities under this RFP or the Agreement to any sub-contractor, except as expressly provided in the Agreement.
 - 2.1.7 If selected by TSC, Proposer will maintain any insurance coverage as required by the Agreement during the term thereof.
 - 2.1.8 All statements, information and representations prepared and submitted in response to this RFP are current, complete, true and accurate. Proposer acknowledges that College will rely on such statements, information and representations in selecting the Contractor. If selected by the College, Proposer will notify College immediately of any material change in any matters with regard to which Proposer has made a statement or representation or provided information.
 - 2.1.9 PROPOSER WILL DEFEND WITH COUNSEL APPROVED BY TSC, INDEMNIFY, AND HOLD HARMLESS, THE COLLEGE, THE STATE OF TEXAS, AND ALL OF THEIR REGENTS, OFFICERS, AGENTS AND EMPLOYEES, FROM AND AGAINST ALL ACTIONS, SUITS, DEMANDS, COSTS, DAMAGES, LIABILITIES AND OTHER CLAIMS OF ANY NATURE, KIND OR DESCRIPTION, INCLUDING REASONABLE ATTORNEYS' FEES INCURRED IN INVESTIGATING, DEFENDING OR SETTLING ANY OF THE FOREGOING, ARISING OUT OF, CONNECTED WITH, OR RESULTING FROM ANY NEGLIGENT ACTS OR OMISSIONS OR WILLFUL MISCONDUCT OF PROPOSER OR ANY AGENT, EMPLOYEE, SUBCONTRACTOR, OR SUPPLIER OF PROPOSER IN THE EXECUTION OR PERFORMANCE OF ANY CONTRACT OR AGREEMENT RESULTING FROM THIS RFP.
 - 2.1.10 Pursuant to Sections 2107.008 and 2252.903, *Government Code*, any payments owing to Proposer under any contract or agreement resulting from this RFP may be applied directly to any debt or delinquency that Proposer owes the State of Texas or any agency of the State of Texas regardless of when it arises, until such debt or delinquency is paid in full.
- 2.2 By signature hereon, Proposer offers and agrees to furnish the Services to College and comply with all terms, conditions, requirements and specifications set forth in this RFP.
- 2.3 By signature hereon, Proposer affirms that it has not given or offered to give, nor does Proposer intend to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with its submitted proposal. Failure to sign this Execution of Offer, or signing with a false statement, may void the submitted proposal or any resulting contracts, and the Proposer may be removed from all proposal lists at University.
- 2.4 By signature hereon, Proposer certifies that it is not currently delinquent in the payment of any taxes due under Chapter 171, *Tax Code*, or that Proposer is exempt from the payment of those taxes, or that Proposer is an out-of-state taxable entity that is not subject to those taxes, whichever is applicable. A false certification will be deemed a material breach of any resulting contract or agreement and, at University's option, may result in termination of any resulting contract or agreement.
- 2.5 By signature hereon, Proposer hereby certifies that neither Proposer nor any firm, corporation, partnership or institution represented by Proposer, or anyone acting for such firm, corporation or institution, has violated the antitrust laws of the State of Texas, codified in Section 15.01, et seq., *Business and Commerce Code*, or the Federal antitrust laws, nor communicated directly or indirectly the proposal made to any competitor or any other person engaged in such line of business.

Exhibit B

- 2.6 By signature hereon, Proposer certifies that the individual signing this document and the documents made a part of this RFP, is authorized to sign such documents on behalf of Proposer and to bind Proposer under any agreements and other contractual arrangements that may result from the submission of Proposer's proposal.
- 2.7 By signature hereon, Proposer certifies as follows:
"Under Section 231.006, *Family Code*, relating to child support, Proposer certifies that the individual or business entity named in the Proposer's proposal is not ineligible to receive the specified contract award and acknowledges that any agreements or other contractual arrangements resulting from this RFP may be terminated if this certification is inaccurate."
- 2.8 By signature hereon, Proposer certifies that (i) no relationship, whether by blood, marriage, business association, capital funding agreement or by any other such kinship or connection exists between the owner of any Proposer that is a sole proprietorship, the officers or directors of any Proposer that is a corporation, the partners of any Proposer that is a partnership, the joint venturers of any Proposer that is a joint venture or the members or managers of any Proposer that is a limited liability company, on one hand, and an employee of any component of The College, on the other hand, other than the relationships which have been previously disclosed to College in writing and (ii) Proposer has not been an employee of any component institution of TSC within the immediate twelve (12) months prior to the Submittal Deadline. All disclosures by Proposer in connection with this certification will be subject to administrative review and approval before College enters into a contract or agreement with Proposer.
- 2.9 By signature hereon, Proposer certifies that in accordance with Section 2155.004, *Government Code*, no compensation has been received for its participation in the preparation of the requirements or specifications for this RFP. In addition, Proposer certifies that an award of a contract to Proposer will not violate Section 2155.008, *Government Code*, prohibiting College from entering into a contract that involves financial participation by a person who, during the previous five years, has been convicted of violating federal law or assessed a penalty in a federal civil or administrative enforcement action in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of Hurricane Rita, Hurricane Katrina, or any other disaster occurring after September 24, 2005. Pursuant to Sections 2155.004 and 2155.006, *Government Code*, Proposer certifies that Proposer is not ineligible to receive the award of or payments under the Agreement and acknowledges that the Agreement may be terminated and payment withheld if these certifications are inaccurate.
- 2.10 By signature hereon, Proposer certifies its compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
- 2.11 By signature hereon, Proposer represents and warrants that all products and services offered to College in response to this RFP meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and the Texas Hazard Communication Act, Chapter 502, *Health and Safety Code*, and all related regulations in effect or proposed as of the date of this RFP.
- 2.12 Proposer will and has disclosed, as part of its proposal, any exceptions to the certifications stated in this Execution of Offer. All such disclosures will be subject to administrative review and approval prior to the time College makes an award or enters into any contract or agreement with Proposer.
- 2.13 Proposer should complete the following information:

If Proposer is a Corporation, then State of Incorporation: Texas

If Proposer is a Corporation then Proposer's Corporate Charter Number: 0007378700

RFP No.. TSC RFP09-13

Exhibit B

NOTICE: WITH FEW EXCEPTIONS, INDIVIDUALS ARE ENTITLED ON REQUEST TO BE INFORMED ABOUT THE INFORMATION THAT GOVERNMENTAL BODIES OF THE STATE OF TEXAS COLLECT ABOUT SUCH INDIVIDUALS. UNDER SECTIONS 652.021 AND 652.023, GOVERNMENT CODE, INDIVIDUALS ARE ENTITLED TO RECEIVE AND REVIEW SUCH INFORMATION. UNDER SECTION 668.004, GOVERNMENT CODE, INDIVIDUALS ARE ENTITLED TO HAVE GOVERNMENTAL BODIES OF THE STATE OF TEXAS CORRECT INFORMATION ABOUT SUCH INDIVIDUALS THAT IS INCORRECT.

Submitted and Certified By:

Jones Moving & Storage Co.

(Proposer/Institution's Name)

(Signature of Duty Authorized Representative)

Jack McNally, Sales Manager

(Printed Name/Title)

June 1, 2009

(Date Signed)

2404 Wilson Road

(Proposer's Street Address)

Harlingen, Texas 78552

(City, State, Zip Code)

956-423-6030

(Telephone Number)

956-423-4328

(FAX Number)



TEXAS SOUTHMOST COLLEGE DISTRICT BOARD AGENDA REQUEST FORM

Department/Division: Planning and Construction Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on a change order to the contract with Skanska USA for the Library Mural	
Rationale/Background: The TSC Board approved the design of the mural that would be displayed on the façade of the main entrance of the new Library. As we move forward to the completion of the project, there is a need to begin the fabrication and installation of the tile for the mural. Skanska USA, contractor for the Library submitted a proposal for the work involved for fabrication and installation of the mural. The change order is in the amount of \$384,323. The change order has been reviewed and recommended by Broaddus and Associates project manager for the project.	
Recommended Action: This item will be presented to Physical Facilities Committee at their meeting on Thursday June 18, 2009 for the approval of the change order to Skanska USA	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain.	
Attachments (List): Change order form	

FOR OFFICE USE ONLY:	
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____	
Certified by: _____ Title: _____ Date: _____	

CHANGE ORDER

Date: May 5, 2009

Project No. & Name: Professional Zone Projects
 Institution: Texas Southmost College
 Contractor Name: Skanska USA
 Change Order No.: Three(03)

To:

You are hereby authorized to make the following changes in the work under your contract;

C.P.F.O.

<u>No</u>	<u>Description of Work</u>	<u>Cost</u>	<u>Time Extension</u>
01	Mural tile installation and procurement	\$384,323	229 days
Total Change Order Amount:		\$384,323	229 days

(Refer Attachment "A" for Item Re-cap)

It is mutually agreed that the payment of \$384,323 (\$) and 229 calendar days time extension provided for in this Change Order, constitutes full compensation to the Contractor, whether direct, consequential or otherwise, in any way incidental to, or arising out of, or resulting directly from the work performed or modified by the Contractor under this Change Order.

The new Substantial Completion date, including this time extension, if any is: December 29, 2009

The new Final Completion date, including this time extension, if any is: January 29, 2010

For the above changes the sum of \$384,323 (\$) will be added to the Contract Price as follows:

Original Contract Price:	\$20,124,325	ACCEPTED: By _____ <i>Skanska USA</i> Date _____
Previous Additions:	0	
Previous Deductions:	0	
Net Balance Contract Price:	\$20,124,325	APPROVED: By _____ <i>Veronica Mendez - Assistant Vice-President for Planning and Construction - CTR USA</i> Date _____
THIS Addition:	\$384,323	
Adjusted Contract Price:	\$20,508,648	
		By _____ <i>PM Diana Bravo Gonzalez</i> Date _____

GUARANTEED MAXIMUM PRICE CONTRACT SUMMARY

Texas Southmost College

(To be used as a back-up summary for all GMP Contract and Owner's Construction Contingency Change Orders)

COC PFO No. 03

Submittal Date: May 5, 2009

Project No.: _____

Project Name: Professional Zone Projects- East Library, Classrooms and Thermal Plant
Texas Southmost College

	<u>Previous Contract Price*</u>	<u>This Contract Price</u>	<u>Total Contract Price</u>
1. Cost of the Work:	\$16,943,599	\$ 0	\$16,943,599
2. General Conditions:	\$1,499,468	\$ 0	\$1,499,468
3. Construction Contingency:	\$547,557	\$ 0	\$547,557
4. Construction Phase Fee:	\$586,144	\$ 0	\$586,144
5. Owner's Special Cash Allowance:	\$ 0	\$ 0	\$ 0
6. Owner's Contingency:	\$547,557	\$384,323	\$931,880
7. TOTAL OF GMP LINE ITEMS 1 THROUGH 6:	\$20,124,325	\$0	\$20,508,643

* Includes ALL changes to previous GMP(s).

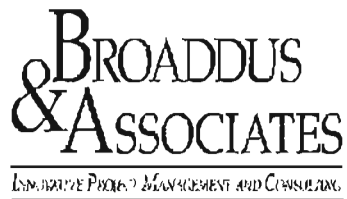


TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office for Planning and Construction Office/ Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on furniture purchase for Center for Early Childhood Studies through a contract with Workplace Resource.	
Rationale/Background: Owner procurement of materials was identified as one of the cost control strategies for the bond projects. The Office for Planning and Construction obtained a cost estimate from Workplace Resource to purchase furniture for the Center for Early Childhood Studies project. Workplace Resource has a contract with several manufacturers that have purchase agreements with UT System and TXMAS, a state wide procurement pool. Workplace Resource staff has been providing design services throughout the furniture selection process. By using their services as part of the contract with UT System, TSC was able to save interior design fees on every project. Also, TSC received additional discount by purchasing furniture for all the projects through Workplace Resource. The proposed plan for the Center for Early Childhood Studies will furnish four administrative offices, a Director's office, three observation rooms, a conference room, a nurse station and a resource lounge in the amount of \$110,000.	
Recommended Action: Motion to award purchase contract to furnish the Center for Early Childhood Studies in the amount of \$110,000 to Workplace Resource and authorize the Assistant Vice President for Planning and Construction to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain: Project Budget	
Attachments (List): 1. Recommendation Letter 2. Workplace Resource Center for Center for Early Childhood Studies furniture estimate and furniture plan	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



To: Ms. Veronica Mendez
Assistant VP for Planning and Construction

From: Ms. Dána Bravo Gonzalez
Bond Project Manager/Architect

Date: June 16, 2009

Subject: Faculty and Staff Office Furniture Purchase

Project: Center for Early Childhood Studies

Please accept this letter of recommendation to purchase furniture for the faculty and staff offices for the Center for Early Childhood Studies from Workplace Resources of Austin, Texas.

The project management team has worked very close with the furniture dealers in order to make an appropriate selection of the furniture for this upcoming facility. The furniture, in terms of design, fabric, brand and layout, was selected by recommendations from the Campus Advisory Committee and Construction Council members.

After completion of selection, the project management team solicited a formal quote from the furniture supplier. The dealer has submitted a final quote in the amount of \$110,000 dollars. The quote includes prices to furnish the Director's Office, Assistant Director's office, 3 faculty/staff offices, large observation room configured as a conference room, stools, teacher's stations and furniture for the Resource Lounge area.

The final pricing amount has been carefully reviewed and confirmed that price includes TXMAS stipulated prices. The project management team reviewed and checked inclusion of all furniture requested as well as finishes and design selection.

It is the recommendation of the project management team to approve the purchase of furniture for the faculty and staff offices for the Center for Early Childhood Studies in the amount of \$ 110,000 dollars from Workplace Resources.

**Center for Early Childhood Studies
Office Furniture Description
Workplace Resources - TXMAS Contract**

30

Quantity	Room Description	Type	Specifications	Manufacturer
Offices				
1	Director's Office	Faculty Office	Mocha Wood Finishes, Busy Bee fabric	Kimball "Priority"
1	Assitant Director's Office	Faculty Office	Mocha Wood Finishes, Busy Bee fabric	Kimball "Priority"
3	Administration Offices	Faculty Office	Mocha Wood Finishes, Busy Bee fabric	Kimball "Priority"
Large Observation Room				
1	Observation Room	Conference Room	Mocha Wood Finishes	Kimball "Wood"
Observation Rooms (4)				
30	Observation Rooms	Stools	Colored Thermoplastic Chairs	"Caper" chair
Teacher's station				
4	Teacher's station	Desk	Oak Wood Finishes	Kimball
4	Teacher's station	Chairs	Colored Thermoplastic Chairs	"Caper" chair
Resource Lounge				
2	Workroom	Table	Mocha Wood Finishes, Bronze legacy laminate	Bretford
8	Workroom	Chairs	Mocha Wood Finishes, Bronze legacy laminate	Bretford
TOTAL				\$ 110,000.00

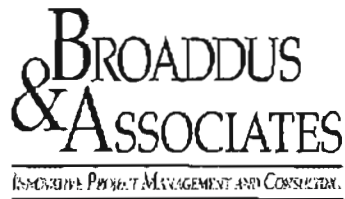


TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Planning and Construction / Partnership Affairs.	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on a contract award with Fixtures Furniture TXMAS-3-71111040 to purchase dining hall furniture for the Center for Early Childhood Studies.	
Rationale/Background: As the Center for Early Childhood Studies construction moves forward to completion, it is time to plan for the purchase of children's furniture for the facility. The proposed plan for dining hall includes tables and chairs for 84 children. The attach proposal from Fixtures Furniture, a member of TxMas Purchasing Cooperative, includes the purchase of all the furniture in the amount of \$27,700. A recommendation will be presented to the Texas Southmost College Board of Trustees Physical Facilities Committee at their meeting on June 16, 2009.	
Recommended Action: Motion to accept a contract to purchase children's furniture from Fixtures Furniture in the amount of \$27,700 and authorize the Assistant Vice President for Planning and Construction to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain: Center for Early Childhood Studies project budget	
Attachments (List): 1. Recommended Letter 2. Furniture Fixture furniture estimate and furniture plan	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



To: Ms. Veronica Mendez
Assistant VP for Planning and Construction

From: Ms. Diana Bravo Gonzalez
Bond Project Manager/Architect

Date: June 16, 2009

Subject: Dining Hall Furniture Purchase

Project: Center for Early Childhood Studies

Please accept this letter of recommendation to purchase children's furniture for the dining hall of the Center for Early Childhood Studies from Fixtures Furniture through TXMAS contract number 3-71111010.

The project management team has worked very close with the furniture dealer in order to make an appropriate selection of the furniture for this upcoming facility. The furniture in terms of finishes and brand was selected by recommendations from members of the Campus Advisory Committee for the Center for Early Childhood Project.

After completion of selection, the project management team solicited a formal estimate from the furniture supplier. The dealer has submitted a final price in the amount of \$27,700 dollars. The quote includes prices to furnish the dining hall with tables and chairs for 84 students.

The final furniture pricing amount has been carefully reviewed and confirmed that quote includes TXMAS contracts stipulated prices. The Office for Planning and Construction has carefully reviewed and checked inclusion of all furniture requested as well as the finishes, brand and specifications requested.

It is the recommendation of the project management team to approve the purchase of the furniture for the dining hall of the Center for Early Childhood Studies from Fixtures Furniture TXMAS -3-71111040 in the amount of \$27,700 dollars.

Center for Early Childhood Studies
Children's Furniture Description

DINING ROOM



**Center for Early Childhood Studies
 Children's Furniture Description
 Fixtures Furniture - TXMAS Contract 3-71111040**

Description	Specifications	Model Number	Manufacturer	Quantity per classroom
Dining Room				
Rectangular tables	30" x 60", 21" height	45410L	Fixtures Furniture	10
Chairs	13" height	45013	Fixtures Furniture	84
TOTAL			\$	27,700.00

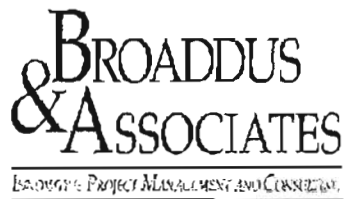


TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Planning and Construction / Partnership Affairs.	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on a contract award with Community Playthings to purchase classroom furniture for the Center for Early Childhood Studies.	
Rationale/Background: As the Center for Early Childhood Studies construction moves forward to completion, it is time to plan for the purchase of children's furniture for the facility. The proposed plan will furnish three classrooms for children from age's four to five, five classrooms for children from age's two to three and an art classroom. Each classroom includes tables and chairs for twenty children, twenty cots, four storage units, a small couch, twenty lockers, a water and sand table, a computer station, a dramatic play set, a library rack and a play loft. The art classroom includes tables and chairs for twenty four children, two art center units, three mini art islands, two drying racks and two cloth racks. The attach proposal Community Playthings, a member of Buyboard Purchasing Cooperative, includes the purchase of all the furniture described above in the amount of \$100,100. A recommendation will be presented to the Texas Southmost College Board of Trustees Physical Facilities Committee at their meeting on June 16, 2009.	
Recommended Action: Motion to accept a contract to purchase children's furniture from Community Playthings in the amount of \$100,100 and authorize the Assistant Vice President for Planning and Construction to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain: Center for Early Childhood Studies project budget	
Attachments (List): 1. Recommended Letter 2. Community Playthings furniture and furniture plan	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



To: Ms. Veronica Mendez
Assistant VP for Planning and Construction

From: Ms. Diana Bravo Gonzalez
Bond Project Manager/Architect

Date: June 16, 2009

Subject: Classrooms and Art Classroom Furniture Purchase for the

Project: Center for Early Childhood Studies

Please accept this letter of recommendation to purchase children's furniture for the classrooms and art classroom of the Center for Early Childhood Studies from Community Playthings.

The project management team has worked very close with the furniture dealer in order to make an appropriate selection of the furniture for this upcoming facility. The furniture, in terms of design, finishes, brand and layout, was selected by recommendations from members of the Campus Advisory Committee for the Center for Early Childhood Project.

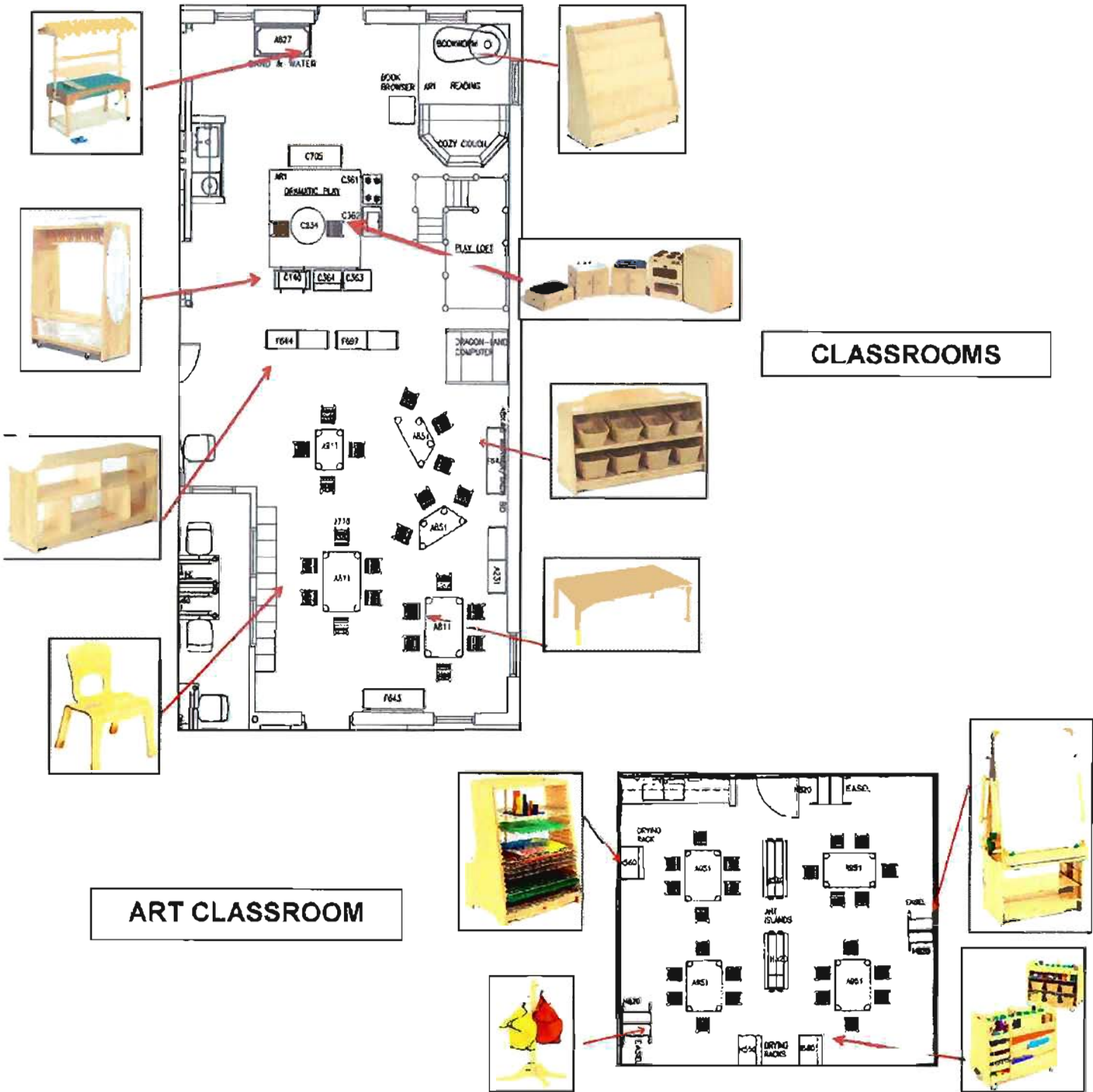
After completion of selection, the project management team solicited a formal estimate from the furniture supplier. The dealer has submitted a final price in the amount of \$100,700 dollars. The quote includes prices to furnish all 8 classrooms for children of age two to five. Each classroom includes tables and chairs for 20 students, cots, storage units, couch, lockers, water and sand table, a computer station, dramatic play set, library rack and a play loft unit. The quote also includes price to furnish an art classroom with art center units, mini art islands, drying racks and cloth racks.

The final furniture pricing amount has been carefully reviewed and confirmed that quote includes Buyboard contracts stipulated prices. The Office for Planning and Construction has carefully reviewed and checked inclusion of all furniture requested, as well as the design and specifications requested.

It is the recommendation of the project management team to approve the purchase of the children's furniture from **Community Playthings** in the amount of **\$100,700 dollars**.

Center for Early Childhood Studies

Children's Furniture Description



**Center for Early Childhood Studies
Children's Furniture Description
Community Playthings - Buyboard Contract**

Description	Specifications	Model Number	Manufacturer	Quantity per classroom
8 Classrooms				
Rectangular tables	48" x 30", 18" height	A811	Community Playthings	5
Chairs	10" height	J710	Community Playthings	20
Rectangular tables	48 x 30, 20" height	A811	Community Playthings	5
Chairs	12" height	J712	Community Playthings	20
Storage unit	48" x 28" w/totes	H576	Community Playthings	2
Translucent back shelve	48" x 24"	F648	Community Playthings	2
Welcome bench 8 lockers	50" x 14"	A734	Community Playthings	1
Welcome bench 6	38" x 14"	A733	Community Playthings	2
Totes	13" x 11"	F890	Community Playthings	20
Water and sand table	45" x 24"	A627	Community Playthings	1
Chairs for computer st	10" height	J710	Community Playthings	2
Chairs for computer st	12" height	J710	Community Playthings	2
Drama Center	42" x 41"	C705	Community Playthings	1
Library Rack	36" x 32"	F775	Community Playthings	1
Cots	54" x 24"	M16	Community Playthings	20
Kitchen -Dramatic area	N/A	C435	Community Playthings	1
Table and two chairs -Dramatic area	N/A	C234	Community Playthings	1
PlayLoft 2-5 year old	N/A	L220	Community Playthings	1
Art Classroom				
Rectangular tables	48 x 30, 20" height	A811	Community Playthings	5
Chairs	12" height	J712	Community Playthings	24
Art Center	36" x 32"	H558	Community Playthings	2
Mini Art Island	28" x 47"	H500	Community Playthings	3
Drying Rack	28" x 43"	H560	Community Playthings	2
Cloth Rack	N/A	H559	Community Playthings	2
TOTAL			\$	100,700.00



TEXAS SOUTHMOST COLLEGE DISTRICT BOARD AGENDA REQUEST FORM

Department/Division: Office for Planning and Construction	Board Meeting Date: February 19, 2009
Agenda Item: Consideration and possible action on a change order to RGV Paint Center and Construction for Center for Early Childhood Studies project.	
Rationale/Background: RGV Paint Center and Construction was selected on March 27 th 2008 through Competitive Sealed Proposal method. In the process of construction there have been code changes and unforeseen conditions and owner requested changes that are above and beyond the original scope of work. Code changes and unforeseen conditions include, an additional fire alarm horn/strobe device was added as a result of a TDLR review for accessibility compliance, the cleaning and removal of an existing septic tank and palm tree not noted in the original plans, the removal of a tree due to an increase in size of a transformer pad, the need for additional fire protection devices and site plan changes. Owner requested changes include, opening of dormer windows in the rear of the buildings, the addition of projection screen in large observation room and cafeteria, the addition of downspout boots cast iron to prevent denting of the downspouts by children playing, additional sleeves and conduits for data, changes to electrical closets, additional conduits for future use to all Casitas, roof changes and additional counters in observation room. We recommend that a Change Order be incorporated into the contract with RGV Paint Center and Construction in the amount of \$191,585 and additional scope of work be added to the contract.	
Recommended Action: Motion to approve a change order to the contract with RGV Construction and authorize Assistant Vice President for Planning and Construction to execute change order in the amount of \$191,585	
Fiscal Implications:	Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:
Bond Interest Earned	
Attachments (List): 1.Change order and Breakdowns	

FDR OFFICE USE ONLY:

Board Action: Approved: Yes No N/A Tabled for action on: _____

Certified by: _____ **Title:** _____ **Date:** _____

CHANGE ORDER

Date April 27, 2009

Project No. & Name: Center For Early Childhood Studies
 Institution: Texas Southmost College
 Contractor Name: RGV Construction
 Change Order No.: Three(03)

To:

You are hereby authorized to make the following changes in the work under your contract;

C.P./E.O.

<u>No.</u>	<u>Description of Work</u> (see attached)	<u>Cost</u>	<u>Time Extension</u>
01	Plan Coordination /unforeseen conditions	\$50,789	0 days
02	Code and COB traffic changes	\$19,042	0 days
03	Owner Requested Changes	\$96,043	0 days
	Overhead and profit	\$25,710	0 days

Total Change Order Amount: \$191,585 0days
 (Refer Attachment "A" for Item Re-cap)

It is mutually agreed that the payment of \$191,585 (\$) and 0 calendar days time extension provided for in this Change Order, constitutes full compensation to the Contractor, whether direct, consequential or otherwise, in any way incidental to, or arising out of, or resulting directly from the work performed or modified by the Contractor under this Change Order.

The new Substantial Completion date, including this time extension, if any is: May 30, 2009
 The new Final Completion date, including this time extension, if any is: June 30, 2009

For the above changes the sum of \$191,585 will be added to the Contract Price as follows:

Original Contract Price:	\$3,422,611	ACCEPTED:
Previous Additions:	\$93,960.80	By _____ <i>Architect/Engineer</i>
Previous Deductions:	0	Date _____
Net Balance Contract Price:	\$3,516,571.80	By _____ <i>RGV Paint and Construction</i>
THIS Addition:	\$191,585	Date _____
Adjusted Contract Price:	\$3,708,156.80	APPROVED:
		By _____ <i>Veronica Mendes - Assistant Vice-President for Planning and Construction - UTB/TSC</i>
		Date _____
		By _____ <i>PM</i>
		Date _____

Center for Early Childhood Studies Change Order # 4 Detail

A. Plan Coordination issues and Unforeseen conditions

As a result of the TDI R review for Accessibility Compliance, please provide your proposal to add the additional fire alarm horn/strobe devices (similar to those specified) 75 additional devices

	\$6,900
Base Bid included 20,000 in an allowance for a new retaining wall. The lowest bid received was \$39,500	\$19,500
Clean and remove existing septic tank not noted on existing plans which is considered an unforeseen condition	\$520
Remove existing palm tree not in original plans	\$650
Waterline changes and storm sewer changes due to engineer redesign	\$21,805
Additional fire Protection devices	\$1,414
Changes to electrical closets and turn outs original plans show piping exposed in observation rooms closets were added because the rooms would be considered mechanical and would not be able to be used for its intended purpose	\$10,991
Subtotal	\$61,780

B. PUB and City Traffic department changes

Site plan changes for the extension of the driveway and associated walks and curbs as well as rework of landscaping

	\$18,292
Removal of tree due to transformer pad increase in size Per PUB	\$750
Subtotal	\$19,042

C. Owner requested changes

Open Dormer windows in rear of buildings- Architect Designed dormer windows on both sides of roof but only one side provided natural light in the classroom. Owner wanted both sides open and providing natural light to the classrooms

	\$14,400
Projection Screens in large observation and cafeteria one 57X77 and one 89X92 and installation	\$8,351
Downspout boots cast iron boots were added to downspouts to prevent denting of the downspouts by children playing	\$4,122
Additional sleeves and conduits for data for each classroom back to the main system	\$5,338
Additional conduits for future use to all casites	\$7,420
Roof Changes Owner did not want the roof drains to empty on playground side of the administration building. They were rerouted to the rear of the building to the storm drainage system	\$2,900
Architect Drawings included minimal finishes and details specified Owner requested upgrades to the interior finishes at administration including the following, revisions to the circulation deck, new ceiling detailing and lighting. Additional door to storage area. Misc electrical and mechanical associated with lobby changes	\$42,513
Subtotal	\$85,052

	TOTAL	\$165,874
Overhead 10%		\$16,587
Profit 5%		\$8,293
		\$191,585



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Facilities Services / Partnership Affairs.	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on approval of a contract with Design Build Solutions TX MAS -4-56030 for the ITEC Center – Cameron Works roof.	
Rationale/Background: At the request of Texas Southmost College, Design Build Solutions, a Garland Company, provided a cost estimate for the replacement of the roof at the ITEC Center – Cameron Works. Design Build Solutions, a Garland Company, will be providing roof repair services for the ITEC Center – Cameron Works through a TXMAS contract. Due to the deteriorated condition of the roof, it is recommended to contract Design Build Solutions to replace the roof.	
Recommended Action: Motion to accept proposal from Design Build Solutions, a Garland Company, in the amount of \$285,390.00 and authorize the Assistant Vice President for Facilities Services to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain: The attached proposal in the amount of \$ 285,390.00 includes all materials and services for the replacement of the roof. This project will be paid through a collaborative agreement using funds from Physical Plant's ITECC account (\$100,000.00), Jim Holt's ITECC account (\$ 155,000.00) and capital Improvements funds (\$ 30,390.00) from Texas Southmost College.	
Attachments (List): Recommended Proposal	

FOR OFFICE USE ONLY:		
Board Action:	Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____	
Certified by: _____	Title: _____	Date: _____



ROOFING MATERIAL AND SERVICES PROPOSAL

UNIVERSITY of TEXAS at BROWNSVILLE
TSC – WEST CAMPUS – ITECC
Roof Area’s identified as Area G
Proposal Date: June 8, 2009
Quote #: TXM-TX-2009.083

- THE FOLLOWING PROPOSAL IS SUBMITTED IN ACCORDANCE TO THE ORIGINAL PROJECT DOCUMENTS INCLUDING BUT NOT LIMITED TO;
1. DETAILS AND DRAWINGS -CS, R1-R7 DATED JULY 9, 2007
 2. PROJECT MANUAL AND SPECIFICATION DATED JULY 9, 2007 SUBMITTED BY DESIGN BUILD SOLUTIONS, INC.
 3. 2007 EDITION UNIFORM GENERAL AND SUPPLEMENTARY CONDITIONS FOR BUILDING CONSTRUCTION CONTRACTS FOR THE TEXAS SOUTHMOST COLLEGE
 4. ADDENDA #1 DATED JULY 9, 2007.

In addition to the scope of work from the original project documents, this proposal is for the additional roof replacement of the additional roof area G in accordance to those project documents, and the attached drawing. This pricing includes a contingency allowance for replacement of metal substrate of the each of the added area’s (breakdown by area below).

This proposal is in accordance to the original project documents, with the identified areas of work now identified and indicated as per the attached drawing with the area’s indicated by the alpha numeric designation’s G. The applicable line items at the end of this proposal may result in additional charges or cost reductions depending on actual site conditions encountered.

AREA G

ITEM #	DESCRIPTION	UNIT LOT	UNIT COST	EXTENSION AMOUNT
1	MATERIALS	1		\$ 78,607.00
	DESCRIPTION	SQ. FT.	AMOUNT / SF	AMOUNT
2	ANCILLARY SERVICES Sold in Conjunction with Garland material	18,000	\$ 10.53	\$ 189,611.00
3	DECKING REPLACEMENT ALLOWANCE	1,800	\$ 9.54	\$ 17,172.00
4	TOTAL AMOUNT	18,000	\$ 15.86	\$ 285,390.00

- Metal substrate replacement requiring underside system to be salvaged \$9.54 per sq. ft.
- Wood blocking replacement \$5.27 per lin. ft.
- Installation of new roof drains (no connection) \$2,000.00 each
- Installation of new drain connected to plumbing \$2,778.00 each

Furthermore, these items may result in a credit, I.E. reduced contract price if they are in actuality less than the allowances in the base bid prices.

Ron Neely
Design-Build Solutions, Inc.

Accepted by: UTB/TSC

Signature: _____

Printed Name: _____

Title: _____

Pricing is valid for ninety days (90) from the date of this proposal.

Communication relating to this proposal may be directed to:

Ron Neely

304-549-3344

rneely@garlandind.com

END OF PROPOSAL



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Facilities Services / Partnership Affairs.	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on a change order on the contract with Design Build Solutions for the Fort Brown Memorial Center (FBMC) roof project.	
Rationale/Background: At the request of Texas Southmost College, Design Build Solutions, a Garland Company, provided a cost estimate for a change order for the roof project at the FBMC. Upon removal of the existing roof system, it was discovered that the original construction included a substrate of Portland cement and aggregate, a product that is very hard to penetrate. The original scope of work included the mechanical fastening of a fiberglass venting base sheet to the substrate. Upon trying to install the fasteners, it was discovered that they were bending and not penetrating the substrate. In addition, a different type of fastener was used and had similar results. The recommendation from Garland Roofs includes adhering (heat fusing) a membrane to the roof substrate material in lieu continuing to use an anchoring system. This recommendation would still provide the full factory warranty as originally specified in the roof specifications. The attached proposal in the amount of \$ 9531.60 includes all materials and services to complete this change order.	
Recommended Action: Motion to accept the change order for the FBMC roof project from Design Build Solutions, a Garland Company, in the amount of \$9531.60 and authorize the Assistant Vice President for Facilities Services to execute the contract.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain: Capital Improvement Funds	
Attachments (List): Recommended Proposal	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



Design-Build Solutions, Inc.[™]

3800 East 91st Street
Cleveland, Ohio 44105
Phone: 216-430-3604 Fax: 216-641-0633

June 9, 2009

Mr. Abraham Hernandez
Texas Southmost College
80 Fort Brown
Brownsville, Texas 78520

RE: Fort Brown Auditorium

Mr. Hernandez,

Design Build Solutions, Inc. is respectfully submitting this letter as a request for a purchase order modification to the above referenced project for work that is in addition to the original (See Note # 1 below) purchase order scope of work. The following new roof deck scope of work change and pricing, submitted for your review and approval, include the necessary supervision, labor, materials and equipment to complete the work as outlined below.

New Scope of Work:

Install Siplast Paradiene 2015 base sheet in lieu of originally quoted vented base sheet. Siplast Paradiene 2015 to be 50% heat fused to the primed substrate for proper adhesion/attachment to substrate.

Add Siplast Paradiene 2015

Material: Add \$19,548.00

Credit vented base sheet

Material: Credit (\$7,920.00)

Material re-stocking fee 20%: Add \$1,584.00

DBS Material Credit:

10% Overhead: Credit (\$ 792.00)

10% Profit: Credit (\$ 792.00)

Credit base fasteners

Material: Credit (\$3,685.00)

Material re-stocking fee 20%: Add \$ 737.00

DBS Material Credit:

10% Overhead: Credit (\$ 368.50)

10% Profit: Credit (\$ 368.50)

Sub Total: Add \$ 7,943.00

10% Overhead: Add \$ 794.30

10% Profit: Add \$ 794.30

Total Add: \$ 9,531.60

Note # 1: Original Scope of Work: On August 1998 a core was taken and it was thought to be lightweight concrete

Scope of work for this re-roofing project was to tear-off existing roof and mechanically fasten a fiberglass venting base sheet.

As the tear-off work started last week, the specified Olympic fasteners were bending and not penetrating the substrate. We then changed to Tube-Lock fasteners and only a few would penetrate.

As it turns out the substrate is made up of what Cinder Block materials are made up of, Portland cement and aggregate, usually sand and fine gravel

I have never seen this before and it is not listed in any of the NRCA construction manuals as a common roofing substrate.

I asked the Contractor to stop work until we found a solution, which we have.

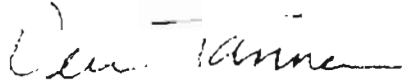
We need to change the base scope of work of fastening the venting base sheet to using a membrane product Paradiene 201S that is 50% heat fused to the primed substrate giving us the desired adhesion attachment to the substrate.

There will be a Credit issued for the venting base sheet & fasteners and a Charge for the Paradiene 201S membrane.

This material change will not affect the originally proposed 30 year Garland Partnership Warranty.

The total cost for the additional work described above is Nine Thousand, Five Hundred, Thirty-One Dollars and 60/100. (\$9,531.60). If acceptable, please issue a purchase order modification. Contact me should you have any questions

Respectfully submitted,



Vern Turner
Design-Build Solutions, Inc.
Phone: 816-779-0037
Cell: 816-914-5944



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Facilities Services / Partnership Affairs.	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on competitive sealed proposal for electrical upgrades of Rusteberg Building.	
Rationale/Background: A request for competitive sealed proposals for electrical upgrades of Rusteberg Building was issued according to TSC's Board Policies for purchasing and bids. The attached spreadsheet provides detailed information regarding the two bid proposals that were received for this project. Upon evaluation of the proposals by Plant personnel and the Electrical Engineer (ACR), Metro Electric was selected as the best value respondent. The total bid for this project is \$ \$93,620.00. Capital Improvement funds will be used to cover these electrical upgrades.	
Recommended Action: Motion to accept proposal from Metro Electric in the amount of \$ 93,620.00 and authorize the Assistant Vice President for Facilities Services to execute the contract.	
Fiscal Implications: Capital Improvement Funds	Budgeted Item: X Yes No <input type="checkbox"/> N/A If no, explain:
Attachments (List): Recommended Proposal	

FOR OFFICE USE ONLY:	
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____	
Certified by: _____	Title: _____ Date: _____



ACR ENGINEERING, INC.

1221 N. 77 Sunshine Strip
Harlingen, Texas 78550
Tel: 956/425-1400

June 11, 2009

Mr. Abraham Hernandez
UTB-TSC
80 Fort Brown
Brownsville, TX 78520

Dear Mr. Hernandez:

On June 11, 2009, Bids were received and opened for the project "UTB/TSC Rusteberg Building Electrical Upgrades".

Base Bid Scope of Work includes the following summary requirements for upgrades to electrical systems of the facility. Demolition: Disconnect existing panelboards, safety switches, etc. noted on plans for removal. Electrical: provide all materials and labor associated with complete operational electrical distribution system. Major items of work include, but are not limited to: Electrical Service: existing to be removed, provide new switchboard and breakers to re-feed existing branch circuits. Power Systems: extend existing branch circuits to new switchboard and existing equipment.

There were two (2) contractors Metro Electric and KST Electric that submitted proposal as summarized below:

Bidder:	Metro Electric
Base Bid:	\$93,620.00
Contract Amount:	\$93,620.00
Bidder:	KST Electric
Base Bid: (Using Eaton Switchgear)	\$109,350.00
Base Bid: (Using Square D Switchgear)	\$122,495.00
Adder Price to include Coordination Study	\$ 3,000.00
Contract Amount: (Using Eaton + adder)	\$112,350.00

Base Bid include Contingency Allowances of a total of \$2,000.00

The proposal amount submitted by Metro Electric is reasonable and consistent with industry standards for the type of work of the Project. ACR Engineering, Inc. has had a favorable experience with Metro Electric in the past, and has every reason to expect that they will deliver a quality installation on this Project. We recommend awarding the contract to Metro Electric for the amount of \$93,620.00

Please call me if you have any questions or comments.

Sincerely,

Guillermo Quintanilla
Project Manager

Cc: Robert Garza - UTB-TSC



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Office of Facilities Services / Partnership Affairs.	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on approval of a contract with Johnson Controls, TX MAS -05-03FAC020 for a new cooling tower cell for the main campus Thermal Plant.	
Rationale/Background: At the request of Texas Southmost College, Johnson Controls provided a cost estimate for a new 750 ton cooling tower cell for the main campus Thermal Plant. ACR Engineering was contracted to evaluate the cost estimate provided by Johnson Controls and to verify if other options were available for a new tower cell. It is ACR's recommendation that the "Marley Sigma Wood Series 1040" cooling tower best fits the needs and budget of the University. ACR reviewed the proposal from Johnson Controls that was prepared under TX MAS guidelines and obtained an additional cooling tower estimate from another vendor, confirming that the quoted cost was a reasonable cost for this project. The attached proposal in the amount of \$139,188.95 with option #1 for \$8,873.20 includes all equipment, installation and services (except for electrical) for a new cooling tower cell in the main campus Thermal Plant.	
Recommended Action: Motion to accept proposal from Johnson Controls, including option #1, in the amount of \$148,062.15 and authorize the Assistant Vice President for Facilities Services to execute the contract.	
Fiscal Implications: Budgeted Item: X Yes No <input type="checkbox"/> N/A If no, explain: Capital Improvement Funds	
Attachments (List): Recommended Proposal and ACR Engineering Report	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



TXMAS-05-03FAC020 – HVAC Maintenance & Service

5/18/2009 (Provide & Install Marley Sigma W-Series model 1040)

The University of Texas/Texas Southmost College
 80 Fort Brown
 Brownsville, TX 78520

Attn: Bill Harris

The University of Texas/Texas Southmost College Wood Cooling Tower Installation

We propose to furnish the services specified herein at the prices stated and in accordance with Johnson Controls standard terms and conditions. Johnson Controls would like to submit the following proposal for your review and approval. * Johnson Controls will provide the following labor and material to perform scope of the following work identified by the customer only. All work will be performed in accordance with the job specifications as provided by the client to Johnson Controls.

Under this proposal Johnson Controls, Inc.-York Service will perform as per the following:

EQUIPMENT PROVIDED – COOLING TOWER

- **Furnish Quantity of (1) Marley Sigma W-Series model 1040 field assembled 1-Cell cross-flow cooling tower**

Marley Sigma Wood Series 1000/1200

TOWER MODEL	PERFORMANCE CONDITIONS	MOTOR DATA	TOWER DIMENSIONS	WEIGHTS
Quantity of (1) Marley Sigma W-Series model 1040 field assembled 1-Cell crossflow cooling tower	Per 1-cell tower: 2250.0 GPM 95.0 F Hot Water 85.0 F Cold Water 79.0 F Entering WB	60 HP 1 speed / 1 wind 3 phase / 60 Hz / 230/460v 1.15sf 1800 RPM Premium Efficiency	Each cell: (without options) Length 16' - 9 1/2" Width 25' - 11 1/2" Height 15' - 8 1/2" Per 1-cell tower: (with options) Length 16' - 9 1/2" Width 25' - 11 1/2" Height 15' - 8 1/2"	Per 1-cell tower: Shipping: 28,494 lb. Operating:(see drawings)



ASSEMBLY

- **Marley Field Installed Equipment:**
- Field construction of this equipment will be provided by Marley & require approximately 326 man-hours after the tower arrives at the jobsite (based on USA experienced crew). The price to construct this equipment is included in the total price.
- Field installation costs typical to a cooling tower project are not included by Marley and are to be covered by Johnson Controls, Inc. (For Example: Piping, Rigging, Crane Hoisting)

HEAVY EQUIPMENT RIGGING & HOISTING

- Provide rigging and crane service for installation of new equipment.
- Provide spotters & riggers for safely lifting & spotting equipment
- All labor and materials to complete installation & setting in place equipment.

STRUCTURAL STEEL

- Pre-Fabricate & Install New Structural Steel Support



PIPING WORK

- Pre-Fabricate New Cooling Tower Steel Water Piping where necessary
- Install new piping from existing pipe lines to new cooling tower pipe connections
- Pre-Fabricate & pipe in make up water lines
- Welding & heavy piping will be provided
- Leak test piping and connections

ELECTRICAL

- Electrical is excluded at this point at the customer's request, a separate price has been provided in the additional options section of this proposal for your review if later you require Johnson Controls to provide the electrical.

MISCELLANEOUS

- Provide project supervision of all workers on this project
- Provide complete Project Management of this Project



Owner Responsibilities & Exclusions:

- Provide a safe & secure work environment
- Any type of permits if required
- Any work or additional work outside of the scope would be the owners responsibility
- Any electrical upgrades, are excluded
- Overtime is excluded
- It is the owners responsibility to confirm that isolation valves operate & hold
- Valve upgrades are excluded
- Blocking off traffic for Crane will be the clients responsibility
- Available space for temporarily placing the towers before lift
- Controls or any type of automation is the clients responsibility
- Any options, accessories, additional items, equipment, or services outside of the equipment listed or scope of work noted above would be required to be provided in writing before the purchase order is issued.
- Electrical parts & labor at this point are excluded a separate price is listed below for your convenience should you require Johnson Controls to provide the electrical installation.

Proprietary:

Johnson Controls, as a benefit to you, has developed the concepts detailed in this proposal on 5/18/2009. These are considered by Johnson Controls to be confidential and proprietary. These ideas and concepts remain the sole property of Johnson Controls, & UTB/TSC acknowledge and agree to honor our proprietary right to the contents of this proposal and refrain from disclosing such content or any information to any third party, without the prior written consent of Johnson Controls. Any unauthorized use of these ideas and concepts is strictly prohibited.

Proposal Validity:

The terms of this proposal are VALID FOR 30 DAYS and are contingent upon equipment availability.



TXMAS-05-03FAC020 – HVAC Maintenance & Service

COOLING TOWER & INSTALLATION PRICING

Cooling Tower Material- \$90,000.00

Labor/Services- \$49,188.95

Payment Breakdown

1) *Mobilization Fee & Material Shipment*.....\$90,472.82

2) *Final Invoice - Project Completion*.....\$48,716.13

- *Please note any additions to the project which are listed below in the price add section, would be invoiced within the mobilization fees in subject number 1) within the payment breakdown section.*

***PRICE FOR EQUIPMENT, INSTALLATION AND SERVICES*.....\$139,188.95**

(One Hundred Thirty Nine Thousand One Hundred Eighty Eight Dollars & Ninety Five Cents)

All pricing FOB with full freight allowed to jobsite, not including any taxes, fees or storage. Labor is based upon work performed during Standard Service hours (8:00am - 5:00pm Monday thru Friday). This proposal is valid for the next 30 days.

****PRICE ADDS*****(would be added to price, if requested by client in writing)*

1) Optional Price Add: Coating of Cold Water Basin(Material Labor).....\$8,873.20

2) Optional Price Add: Turn-Key Electrical Installation with New JCI Variable Speed Drive Details.....\$14,845.29

- Furnish and install (1) 3pole 80amp circuit breaker.
- Furnish and install (1) Nema 4X 100 amp Disconnect with 80 amp fuses.
- Furnish and install conduit and THHN wire from panel to motor.
- Completely Install Johnson Controls Variable Speed Drive
- Core drill to run conduit to roof.





TERMS AND CONDITIONS

By accepting this proposal, Purchaser agrees to be bound by the following terms and conditions:

1. **SCOPE OF WORK.** This proposal is based upon the use of straight time labor only. Plastering, patching and painting are excluded. "in-line" duct and piping devices, including, but not limited to, valves, dampers, humidifiers, wells, taps, flow meters, orifices, etc., if required hereunder to be furnished by Johnson, shall be distributed and installed by others under Johnson's supervision but at no additional cost to Johnson. Purchaser agrees to provide Johnson with required field utilities (electricity, toilets, drinking water, project hoist, elevator service, etc.) without charge. Johnson agrees to keep the job site clean of debris arising out of its own operations. Purchaser shall not back charge Johnson for any costs or expenses without Johnson's written consent.

Unless specifically noted in the statement of the scope of work or services undertaken by JCI under this agreement, JCI's obligations under this agreement expressly exclude any work or service of any nature associated or connected with the identification, abatement, clean up, control, removal, or disposal of environment Hazards or dangerous substances, to include but not be limited to asbestos or PCBS, discovered in or on the premises. Any language or provision of the agreement elsewhere contained which may authorize or empower the Purchaser to change, modify, or alter the scope of work or services to be performed by JCI shall not operate to compel JCI to perform any work relating to Hazards without JCI's express written consent.
2. **INVOICING & PAYMENTS.** Johnson may invoice Purchaser monthly for all materials delivered to the job site or to an off-site storage facility and for all work performed on-site and off-site. Purchaser shall pay Johnson at the time purchaser signs this agreement an **advance payment equal to 30% of the contract price**, which advance payment shall be credited against the final payment (but not any progress payment) due hereunder and purchaser agrees to pay Johnson additional amounts invoiced upon receipt of the invoice. Waivers of lien will be furnished upon request, as the work progresses; to the extent payments are received. If Johnson's invoice is not paid within 30 days of its issuance, it is delinquent.
3. **MATERIALS.** If the materials or equipment included in this proposal become temporarily or permanently unavailable for reasons beyond the control and without the fault of Johnson, then in the case of such temporary unavailability, the time for performance of the work shall be extended to the extent thereof, and in the case of permanent unavailability, Johnson shall (a) be excused from furnishing said materials or equipment, and (b) be reimbursed for the difference between the cost of the materials or equipment permanently unavailable and the cost of a reasonably available substitute therefore.
4. **WARRANTY.** Johnson warrants that the equipment manufactured by it shall be free from defects in material and workmanship arising from normal usage for a period of one (1) year from delivery of said equipment, or if installed by Johnson, for a period of one (1) year from installation. Johnson warrants that for equipment furnished and/or installed but not manufactured by Johnson, Johnson will extend the same warranty terms and conditions which Johnson receives from the manufacturer of said equipment. For equipment installed by Johnson, if Purchaser provides written notice to Johnson of any such defect within thirty (30) days after the appearance or discovery of such defect, Johnson shall, at its option, repair or replace the defective equipment. For equipment not installed by Johnson, if Purchaser returns the defective equipment to Johnson within thirty (30) days after appearance or discovery of such defect, Johnson shall, at its option, repair or replace the defective equipment and return said equipment to Purchaser. All transportation charges incurred in connection with the warranty for equipment not installed by Johnson shall be borne by Purchaser. These warranties not extend to any equipment which has been repaired by others, abused, altered or misused, or which has not been properly and reasonably maintained. **THESE WARRANTIES ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THOSE OF MERCHANTABILITY AND FITNESS FOR A SPECIFIC PURPOSE.**
5. **LIABILITY.** Johnson shall not be liable for any special, indirect or consequential damages arising in any manner from the equipment or material furnished or the work performed pursuant to this agreement.
6. **TAXES.** The price of this proposal does not include duties, sales, use, excise, or other similar taxes, unless required by federal, state or local law. Purchaser shall pay, in addition to the stated price; all taxes not legally required to be paid by Johnson or, alternatively, shall provide Johnson with acceptable tax exemption certificates. Johnson shall provide Purchaser with any tax payment certificate upon request and after completion and acceptance of the work.
7. **DELAYS.** Johnson shall not be liable for any delay in the performance of the work resulting from or attributed to acts or circumstances beyond Johnson's control, including, but not limited to, acts of God, fire, riots, labor disputes, conditions of the premises, acts or omissions of the Purchaser, Owner, or other Contractors or delays caused by suppliers or subcontractors of Johnson, etc.
8. **COMPLIANCE WITH LAWS.** Johnson shall comply with all applicable federal, state and local laws and regulations and shall obtain all temporary licenses and permits required for the prosecution of the work. Licenses and permits of a permanent nature shall be procured and paid for by the Purchaser.
9. **DISPUTES.** All disputes involving more than \$15,000 shall be resolved by arbitration in accordance with the rules of the American Arbitration Association. The prevailing party shall recover all legal costs and attorney's fees incurred as a result. Nothing here shall limit any rights under construction lien laws.



TXMAS-05-03FAC020 – HVAC Maintenance & Service

10. **INSURANCE.** Insurance coverage in excess of Johnson's standard limits will be furnished when requested and required. No credit will be given or premium paid by Johnson for insurance afforded by others.
11. **INDEMNITY.** The Parties hereto agree to indemnify each other from any and all liabilities, claims, expenses, losses or damages, including attorneys' fees, which may arise in connection with the execution of the work herein specified and which are caused, in whole or in part, by the negligent act or omission of the-indemnifying Party.
12. **OCCUPATIONAL SAFETY AND HEALTH.** The Parties hereto agree to notify each other immediately upon becoming aware of an inspection under, or any alleged violation of, the Occupational Safety and Health Act relating in any way to the project or project site.
13. **Entire AGREEMENT.** This proposal, upon acceptance, shall constitute the entire agreement between the parties and supersedes any prior representations or understandings.
14. **CHANGES.** No change or modification of any of the terms and conditions stated herein shall be binding upon Johnson unless accepted by Johnson in writing.

**A REPORT
ON
ADDITION OF NEW COOLING TOWER**

FOR

**THE MAIN CAMPUS THERMAL PLANT
UNIVERSITY OF TEXAS AT BROWNSVILLE / TEXAS
SOUTHMOST COLLEGE
BROWNSVILLE, TEXAS**

May 26, 2009

Prepared By

**ACR Engineering, Inc
1221 N. 77 Sunshine Strip
Harlingen, Texas 78550
Tel: (956) 425-1400
Fax: (956) 425-4197**

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I. EXECUTIVE SUMMARY

INTRODUCTION

ACR Engineering, Inc. was contracted by The University of Texas at Brownsville / Texas Southmost College (UTB/TSC) to evaluate options for a new cooling tower cell at the Main Thermal Plant, UTB/TSC campus.

SCOPE AND OBJECTIVES

The main purpose of this report is to study existing condenser water system configuration, space availability, construction budgets, and recommend the largest cooling tower cell that will adequately fit within the given space and construction budget. In other words we must evaluate cooling tower capacities, types and offerings by different manufacturers, relative merits and costs for the various options, and budget cost figures for the equipment and installation.

METHODOLOGY

We spoke with Mr. Bill Harris and discussed Owner's needs. We studied old drawings and performed field inspections to evaluate existing condenser water system configuration, pipe sizes, and space availability for future cooling tower cell. We retained a structural engineer to evaluate whether the existing structure would adequately support the proposed cooling towers.

BACKGROUND

Existing cooling tower cells CT-1, CT-2, CT-3 and CT-4 are 750 tons each, and are Marley Sigma Wood towers. The Owner would like to add one more cooling tower cell in the available space. This tower would provide full thermal plant functions when servicing one of the existing cooling towers.

We analyzed three different cooling tower types: fiberglass, wood and stainless steel. We evaluated different capacities in 750 ton range to see which one would fit the space and budget requirements.

We obtained installation prices from two Contractors that are approved through The Interlocal Purchasing System (TIPS) and TXMAS. To keep installation costs low, Owner has indicated that they could perform electrical and controls work in house.

OPTIONS

A brief summary of the available cooling options is as follows:

- Option 1: Reymisa Fiberglass 720 ton approx (Tower cost \$88,000 approx)
 - Dimensions: 200”L x 201”W
 - Delivery time: 10-12 weeks.
 - Advantages: Decent capacity, easy to maintain, Relative cost is low
 - Disadvantages:
 - Small footprint. Tower width of 201” still does not allow adequate manufacturer recommended clearances.
 - Installation of tower in available space will derate the tower due to reduced airflow. Initially manufacturer’s rep estimated about 2 to 3% derating. Later they informed us that there would not be any derating because the airflow was from below the tower.
 - Fan motor: 4 x 15 HP = 60HP.
 - Since the tower is factory fabricated, the required crane to install it is larger, and thus costs more.
 - Tower comprises of 4 cells requiring more piping.
 - Conclusion: Relatively speaking 750 ton tower physically does not fit well in the allotted space. The equipment and installation cost is higher than a wood tower.

- Option 2: Delta Fiberglass 740 ton approx (Tower cost \$120,000 approx)
 - Dimensions: 198”L x 210”W
 - Delivery time: Probably 10-12 weeks.
 - Advantages: None.
 - Disadvantages:
 - Tower dimension does not allow adequate manufacturer recommended clearances.
 - Installation of tower in available space may derate the tower due to reduced airflow.
 - Fan motor: 4 x 15 HP = 60HP.
 - Since the tower is factory fabricated, the required crane to install it is larger, and thus costs more.
 - Tower comprises of 4 cells requiring more piping.
 - Conclusion: Tower is too expensive and physically does not fit well in the allotted space.

- Option 3: Marley Stainless steel 800 ton (Tower cost \$130,000 approx)
 - Dimensions: 270”L x 142”W
 - Delivery time: 6-8 weeks.
 - Advantages:
 - Good capacity, easy to maintain, good fit in space.
 - Cooling tower fits in allotted space. Airflow is from the ends and so space restriction is not a problem.

- No derating factor.
 - Disadvantages: Relative cost is highest.
 - Conclusion: Although this is Owner's preferred tower, it does not fit Owner's budget.
- Option 4: Marley Sigma Wood tower 750 ton (Tower cost \$85,000 approx)
 - Dimensions: 312"L x 202"W
 - Delivery time: 12 weeks.
 - Advantages:
 - Decent capacity, easy to maintain, good fit in space.
 - Cooling tower width of 202" fits in allotted space. Airflow is from the ends and so space restriction is not a problem.
 - No derating factor, Relative cost is the lowest.
 - Disadvantages:
 - Fan motor: 60HP.
 - Tower is field fabricated.
 - Optional basin coating should be provided.
 - Conclusion: This is the cheapest option, meets Owner's requirements, and the physical fit in the allotted space is very good.

CONCLUSION

Based on the analysis of the new tower options available, Option 4 (wood cooling tower) will best serve the Owner. See attached equipment drawings, cut sheets, plans and purchase quote from Marley for the Sigma Wood Cooling Tower, Model 1041. We highly recommend coating the tower basin as it will increase the life expectancy of the tower by 5 to 10 years.

The Structural Engineer (Green Rubiano and Associates) has reviewed the existing structural drawings for the roof framing plan and the cooling tower weights and dimensions. They evaluated two alternate layouts prepared by ACR Engineering, Inc. Based on their structural analysis the existing structure at the rooftop location can accommodate the proposed wood cooling tower.

To assist the Owner in obtaining realistic pricing quotes from Contractor, ACR prepared pricing instructions detailing scope of work, valve and pipe sizes, layouts, equipment cut sheets, etc. Since the Owner indicated that the electrical and controls work could be performed in house, the scope of work excludes these trades. See attached installation quote (\$148,062.15) from Johnson Controls, Inc. This includes a turnkey quote for equipment and installation, and an alternate quote for coating of tower basin.

The installation quote is prepared under TXMAS guideline, developed from contracts that have been competitively awarded by the federal government or other governmental entity of the state. To confirm that the JCI quote is reasonable, we obtained a second quote from another vendor. The second

quote is prepared under TIPS guidelines. (TIPS Awarded Vendors have submitted proposals from a posted RFP and are competitively awarded contracts accordingly. These Awarded Vendors have agreed to provide the best pricing, terms and conditions available to TIPS Members.)

Both quotes were within 0.5% of each other, and are reasonable and consistent with industry standards for the type of work of the Project. UTB/TSC has had a favorable experience with JCI in the past, and we have every reason to expect that they will deliver a quality installation on this Project.



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on First Reading of the TSC District Budget for Fiscal Year 2009-2010	
Rationale/Background: Annual budget requirements are contained within a rider in the general appropriation act by the State of Texas. The proposed budget will fund Partnership obligations and commitments, scholarships, district operations, capital improvements, deferred maintenance and property acquisitions. A detail presentation of the budget will be made at the Business Affairs Partnership Committee on Tuesday, June 15, 2009.	
Recommended Action: No action required. Item will be presented for second reading and action at next board meeting.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No N/A If no, explain:	
Attachments (List):	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on First Reading of the Investment Policy	
Rationale/Background: The Public Funds Investment Act requires that the District's Investment Policy be reviewed on an annual basis.	
Recommended Action: No action required. Item will be presented for second reading and approval at next board meeting.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If no, explain:	
Attachments (List): Investment Policy, Section V-D	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____

**TEXAS SOUTHMOST COLLEGE
POLICY STATEMENT**

TITLE	INVESTMENT	NUMBER V-D
AUTHORITY	Texas Education Code, Sec. 23.61 et seq.; and TSCD Board of Trustees	PAGE 1 of 7

APPROVED BY BOARD OF TRUSTEES: December 18, 1985

LAST AMENDED BY BOARD: August 30, 2007

POLICY:

INVESTMENT

1. This policy shall be reviewed annually in accordance with provisions of the Public Funds Investment Act chapter 2256 as it now may be amended.
2. This policy is meant to be in compliance with such Act and any other law or statute specifically related to the "Investment of Public Funds," under the control of this entity.
3. The Investing Officers for Texas Southmost College District shall be listed by position.
 - a. Any persons employed in the following positions are hereby appointed to act on behalf of this entity as "Investment Officer":
 - i. Vice President for Partnership Affairs
 - ii. Assistant Vice President for Finance
 - iii. Director of Finance
 - iv. Anyone else the Board may appoint from time to time by official resolution.
4. The Investment Officers shall be required, within ~~twelve-six (612)~~ months of taking office, and ~~once every two years~~ not less than once in a two year period, to attend ~~at least one (1)a~~ training session related to the Officers' responsibilities containing at least 10 hours of instruction from any independent source approved by the governing body.
5. The governing body will establish the qualification and capabilities of the Investment Officers which will be subject to change from time to time. The current qualifications and required capabilities are the required annual training in investment management and process.
6. The only other persons who are authorized to transact any investment business for the entity are those individuals who are instructed by the Investment Officers to facilitate the efficient handling of the investment portfolio. Any other person must be approved by the governing board of the entity.
7. This entity recognizes that the public has entrusted it with various monies to be used in the operation, debt service, special projects and various other activities necessary for successful operations.
8. The primary focus of this Investment Policy is on "Safety" of principal. In addition, because of the nature of the sources and uses of monies this entity recognizes that it is similarly important to maintain "Liquidity" in all of its funds

to ensure that monies are available when and as needed. Investment decisions will be made with a focus on creating a reasonable “Yield” on the monies invested. Once the first three requirements of the policy are considered, attention will naturally be focused on “Diversification” in order to maintain a level of protection against risk.

9. Definitions:

- a. Dollar weighted average maturity: The average maturity of the fund, giving weight to the dollar amounts by maturity ie., \$100,000 for 30 days, and \$400,000 for 180 days, creates an average weighted maturity of 150 days.
- b. Final maturity: The day in which all principal and interest are due on a security.
- c. Training in investment management and process: Training in the basic types of allowable investments authorized by Texas Southmost College District, the mechanics of buying and redeeming a security, basic accounting for any securities purchased, or any training conducted by the state to meet this requirement. Training must include investment controls, security, strategy risks, market risks and compliance with the PFIA.
- d. Funds: Are those monies necessary for Texas Southmost College District to conduct its day to day operations, receive and disburse money, money received from and to pay for bonded indebtedness, and any other account established by the Texas Southmost College District.

10. This Policy is written and arranged using the main components of the Public Funds Investment Act (PFIA) as a guideline:

- I. Listing of authorized investments
- II. Definition of Standard Care
- III. Strategy for each of the funds under District control
- IV. Dealing with Brokers and Third Parties
- V. Reporting Requirements

I. LISTING OF AUTHORIZED INVESTMENTS

The following investments have been reviewed and approved as authorized investments.

- A. Obligations, including letters of credit, of the United States, or its Agencies and Instrumentalities;
 1. Authorized to 100% of the entire Investment portfolio
 2. Maturities specifically related to the investment strategy by fund
 3. Individual investment maturities shall not exceed two (2) years
- B. Direct Obligations of the State of Texas, or its Agencies and Instrumentalities;
 1. Authorized to no more than 25% of the entire portfolio
 2. No individual maturity greater than two (2) years per investment
 3. The securities should be rated by two national rating agencies, AAA or the like

4. Since this investment is also exposed to credit risk, there will be an analysis of the credit quality concerns before any investments are made, and annually thereafter
 5. If it is determined that the chances of receiving payments due to deterioration of the credit quality, the governing body will be appraised immediately and the investment considered for sale
- C. Certificates of deposit
1. Authorized to 100% of the entire portfolio
 2. Issued by Banks domiciled in the State of Texas
 3. Insured by the Federal Deposit Insurance Corporation (FDIC) Bank Insurance Fund (BIF)
 4. Excess collateralized by authorized collateral per Public Funds Collateral Act (Chpt. 2257)
 5. The final maturity of any one investment not to exceed two (2) years
- D. Bank Interest Bearing Checking Accounts
1. Authorized to 100% of entire portfolio
 2. Insured by the FDIC (BIF)
 3. Excess collateralized by authorized collateral per Public Funds Collateral Act (Chpt. 2257)
- E. Money Market Funds
1. Maximum dollars allowed to be invested shall be 80% of the monthly average fund balance (excluding bond proceeds and reserves and other funds held for debt service)
 2. No single investment in any one mutual fund which exceeds 10% of the total assets of the mutual fund
 3. Average dollar weighted maturity of all funds should be ninety (90) days or less
 4. The money market fund must have, as an investment objective, the maintenance of a stable net asset value of \$1 for each share
 5. The fund shall be a no-load fund
 6. The money market mutual fund shall be regulated by the Securities and Exchange Commission
- F. Mutual Funds
1. Maximum dollars allowed to be invested shall be 15% of the monthly average fund balance
 2. No single investment in any one mutual fund which exceeds 10% of the total assets of the mutual fund
 3. Average weighted maturity of less than two (2) years
 4. Continuously rated as to investment quality by at least one nationally recognized investment rating firm AAA or better
 5. Conforms to the requirements set out in Sec. 2256.016 b and c relating to eligibility
 6. Must be a no load fund
- G. Investment Pools
1. Authorized to 100% of the entire portfolio
 2. The pool must comply with Sec. 2256.016 in its entirety (see attached)

H. Repurchase Agreement for Bond Proceeds-Restricted

- (a) A fully collateralized repurchase agreement is an authorized investment if the repurchase agreement:
 - (1) has a defined termination date;
 - (2) is secured by obligations described by Section 2256.009(a)(1) of the Government Code; and
 - (3) requires the securities being purchased by the District to be pledged to the District, held in the District's name, and deposited at the time the investment is made with the District or with a third party selected and approved by the District; and
 - (4) is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state.
- (b) Money received by the District under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must not mature later than the expiration date stated in the reverse security repurchase agreement. Government Code 2256.011

II. Standard Care

The District recognizes that the securities are a dynamic moving target. As such, the District has approved, by acceptance of this policy, the following doctrine of standard of care to be used with all its investments. Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the income to be derived. As such, the entity will apply the following general guidelines with each and every investment:

1. Emphasis will be placed on safety of principal
2. Emphasis will be given to the liquidity of the investment
3. Emphasis will be placed on the return of the investment

In order to maintain these standards of care, the Investment Officer(s) is responsible for taking into consideration:

1. The entire portfolio, meaning that the standards should be applied to the entire portfolio and the safety, liquidity, and yields should be considered on the whole portfolio
2. Each particular investment shall comply and be consistent with this written policy
3. The maximum allowable stated maturity of any individual investment owned by the District will be two (2) years

III. Strategy for each of the Funds under District Control

- A. Each of the entity's funds will be grouped into one of the following categories for use with this policy.
 1. General Fund
 2. Loan Fund
 3. Auxiliary Fund

4. Plant Fund
5. Agency Fund

- B. Each of the categories mentioned above will have a strategy written for that fund which is part of this investment policy. This strategy will comply with the general terms of the policy in that safety, liquidity, and yield are to be addressed. In addition, each strategy will include an analysis and an explanation of the objectives of that particular strategy. The Investment Officer will follow the investment strategy when making authorized investments for the fund.
- C. Since strategies for each particular fund may change from time to time depending on the position in which the entity finds itself, those approved and adopted strategies are part of this policy and carried under SCHEDULE A, which is made part of this policy.

IV. Dealing with Brokers and Third Parties

Any person or organization who is in the legitimate position where they, in fact, are going to sell the entity an authorized investment, or act as an authorized agent of the District, shall be given a copy of this policy. This entity shall require that the principal of the particular organization seeking to sell authorized investments execute a written instrument that confirms that the person or organization has:

1. Received and reviewed thoroughly the investment policy of the entity.
2. Acknowledged that the firm has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities.
3. Filed a statement disclosing any personal business relationship or familial relationship with any Investment Officer.
4. Agreed that all securities will be purchased on a delivery vs. payment settlement method so that no security will be purchased without good delivery of the security.
5. Provided a professional resume and job history with a listing of the organization's principal partners or agents.

Any Investment Officer who has a personal business relationship, or a familial relationship with an individual of the organization seeking to sell an investment to the entity, shall file a statement disclosing that relationship. A statement must be filed with the Texas Ethics Commission and the governing body of this entity. The Investment Officer of Texas Southmost College District may not buy securities from a person who has not delivered to TSC an instrument which covers all of the above.

V. Reporting Requirements

In order to properly service this portfolio, and provide the Board with information to determine the success of the entity's investment portfolio, reporting will be required on all investments to the Board no less than quarterly.

- A. This information, at minimum, shall:
 1. Contain a detail of the investment position as of the date of the report.
 2. Be prepared jointly by all of the Investment Officers.
 3. Be signed by each Officer.

4. Contain a summary statement on each pooled fund group with:
 - a. beginning market value for the reporting period;
 - b. additions and changes to the market value during the period;
 - c. ending market value for the period
5. State book value, market value, beginning and end of the reporting period by investment.
6. State maturity date on each investment.
7. List this information by pool.
8. Contain a statement that the investments made by the entity are in accordance with the stated strategies and approved policy, and relevant provisions of the law.

SCHEDULE A: INVESTMENTS STRATEGIES BY FUND

The following investment strategies are the guidelines to investments of the funds of this entity. All investments, when aggregated together, must be within the diversification parameters listed with the authorized investments. From time to time, on a temporary basis, the actual investments within one fund or another may vary slightly from its underlying strategy. However, these aberrations should only be temporary and corrected easily. Diversification, very often, is impacted by the yield on various types of authorized investments. Although diversification is part of the decision criteria used by the Investment Officer, more heavily considered are: yield, safety of principal, and maturity of the particular investment. As a result, diversity of the investment portfolio may not be significantly accomplished.

1. General Fund

The operating funds are necessary for the operations of the day to day activities of the District and, as such, need to be available when needed. Excess balances in the General Fund will be invested in highly liquid securities which can be sold and cash delivered immediately. The suitable investments to meet this high level of liquidity are considered to be those investments authorized under this policy, with maturities of less than two weeks. Marketability of the short term investments will be high priority in the event the security must be sold before maturity and as such, only those investments which can be sold immediately will be considered for this fund.

2. Loan Fund

These funds are necessary to provide for students, faculty and staff on an as needed basis. Investments authorized under this policy will have maturities of less than one (1) week. The fund will be maintained in an interest bearing checking account.

3. Auxiliary Fund

The Auxiliary Funds are not as time sensitive as some of the other funds. Consequently, the funds investments may be pushed further in time and thus realizing a higher Return on Investment (yield). The suitable investments for this fund will be longer term investments as authorized under this policy. The fund will keep at least 20% of its monies in investments of maturities of two weeks or less in order to provide for and maintain liquidity for those

unplanned or immediate expenditures. The remaining percentage of the monies in this fund may be invested in authorized investments not exceeding two (2) years.

4. Plant Fund

The nature of the funds in this account, allow for longer term investments. The fund will maintain an interest bearing checking account to act as a collection vehicle for monies transferred into and out of the fund. However, the strategy for this fund will be to invest the available balances in maturities up to two (2) years and not less than 60 days. Investments suitable for this fund will be those authorized by this policy. The marketability of the investments will be more volatile in this fund due to the longer term investment horizon, the impact of this volatility will be partially mitigated by maintaining at least 20% of the invested funds in maturities of one hundred twenty (120) days or less.

5. Agency Fund

The nature of these funds is identical to No. 2 above, and strategy is the same.

<p>TEXAS SOUTHMOST COLLEGE</p> <hr/> <p>UTBTSC PRESIDENT DATE</p>	<p>BOARD OF TRUSTEES</p> <hr/> <p>CHAIRPERSON DATE</p> <hr/> <p>SECRETARY DATE</p>
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GOVERNMENT CODE CHAPTER 2256. PUBLIC FUNDS INVESTMENT

GOVERNMENT CODE

TITLE 10. GENERAL GOVERNMENT

SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT

CHAPTER 2256. PUBLIC FUNDS INVESTMENT

SUBCHAPTER A. AUTHORIZED INVESTMENTS FOR GOVERNMENTAL ENTITIES

Sec. 2256.001. SHORT TITLE. This chapter may be cited as the Public Funds Investment Act.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.007. INVESTMENT TRAINING; STATE AGENCY BOARD MEMBERS AND OFFICERS. (a) Each member of the governing board of a state agency and its investment officer shall attend at least one training session relating to the person's responsibilities under this chapter within six months after taking office or assuming duties.

(b) The Texas Higher Education Coordinating Board shall provide the training under this section.

(c) Training under this section must include education in investment controls, security risks, strategy risks, market

risks, diversification of investment portfolio, and compliance with this chapter.

(d) An investment officer shall attend a training session not less than once in a two-year period and may receive training from any independent source approved by the governing body of the state agency. The investment officer shall prepare a report on this subchapter and deliver the report to the governing body of the state agency not later than the 180th day after the last day of each regular session of the legislature.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 73, Sec. 1, eff. May 9, 1997; Acts 1997, 75th Leg., ch. 1421, Sec. 4, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 5, eff. Sept. 1, 1999.

Sec. 2256.009. AUTHORIZED INVESTMENTS: OBLIGATIONS OF, OR GUARANTEED BY GOVERNMENTAL ENTITIES. (a) Except as provided by Subsection (b), the following are authorized investments under this subchapter:

(1) obligations, including letters of credit, of the United States or its agencies and instrumentalities;

(2) direct obligations of this state or its agencies and instrumentalities;

(3) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

(4) other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities;

(5) obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent; and

(6) bonds issued, assumed, or guaranteed by the State of Israel.

(b) The following are not authorized investments under this section:

(1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;

(2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;

(3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and

(4) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1454, Sec. 7, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 558, Sec. 1, eff. Sept. 1, 2001.



TEXAS SOUTHEAST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on Selection of Bank Depository for Fiscal Years 2010 and 2011	
Rationale/Background: The Board of Trustees selects a depository bank bi-annually on or before its June meeting on odd years for the following biennium. In May 2007, the District requested proposals and the following banks responded: Chase, IBC, Lone Star National Bank, Texas State Bank and Wells Fargo Bank. Texas State Bank, now BBVA Compass Bank, submitted the proposal that was most advantageous to the District by way of higher interest earnings and waived charges for services. The Board of Trustees approved this proposal with the option to renew the contract for two additional years. Staff is pleased with BBVA Compass Bank's service and would like to continue their relationship with this bank. Although policy allows us to change bank depositories every two years, it is not mandatory and would be both costly and inefficient to do so. Staff is recommending that the District renew its contract with BBVA Compass.	
Recommended Action: Motion to renew the contract with BBVA Compass Bank as the District's bank depository beginning September 1, 2009 and ending August 31, 2011.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No N/A If no, explain:	
Attachments (List):	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



TEXAS SOUTHMOST COLLEGE DISTRICT

THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

80 Fort Brown • Brownsville, Texas 78520 • (956) 882-7728 • Fax: (956) 882-3827

TO: Dr. David Pearson
Vice President for Partnership Affairs

FROM: Melba Sanchez
Assistant Vice President for Finance

CC: Nancy Saldaña
Director of Finance

DATE: June 10, 2009

SUBJECT: Bank Depository Contract

The District's policy regarding its depository bank states that the Board will select a depository bank bi-annually on or before its June meeting on odd years for the following biennium. In May 2007, the District requested proposals and the following banks responded: Chase, IBC, Lone Star National Bank, Texas State Bank and Wells Fargo. The District selected Texas State Bank, now BBVA Compass Bank.

BBVA Compass Bank submitted the proposal that was most advantageous to the District by way of higher interest earnings and waived charges for services. The Board of Trustees approved this proposal with the option to renew the contract for two additional years. Staff is pleased with BBVA Compass Bank's service and would like to continue their relationship with this bank. Although policy allows us to change bank depository every two years, it is not mandated and would be both costly and inefficient to do so.

I recommend that the District extend the depository bank contract with BBVA Compass Bank for the next biennium with the interest rate to be paid by the bank based on the LIBOR index as per the attached.

Recommendation

Approved Not Approved


Dr. David Pearson
Vice President for Partnership Affairs

Transaction Accounts:

BBVA Compass will pay interest monthly on all District accounts at the rate of one (1) month LIBOR (London Interbank Offered Rate) flat. The rate for the current month will be calculated by using the daily average of one month LIBOR for the previous month.

Certificates of Deposit:

Term	Rate	Amount
30 to 59 days	1 mo. LIBOR less .45%	\$100,000 to \$4,999,999
60 to 89 days	2 mo. LIBOR less .45%	\$100,000 to \$4,999,999
90 to 119 days	3 mo. LIBOR less .45%	\$100,000 to \$4,999,999
120 to 149 days	4 mo. LIBOR less .45%	\$100,000 to \$4,999,999
150 to 179 days	5 mo. LIBOR less .45%	\$100,000 to \$4,999,999
180 to 269 days	6 mo. LIBOR less .45%	\$100,000 to \$4,999,999
270 to 364 days	9 mo. LIBOR less .45%	\$100,000 to \$4,999,999
365 days	1 yr. LIBOR less .45%	\$100,000 to \$4,999,999

Term	Rate	Amount
30 to 59 days	1 mo. LIBOR less .30%	\$5,000,000
60 to 89 days	2 mo. LIBOR less .40%	\$5,000,000
90 to 119 days	3 mo. LIBOR less .40%	\$5,000,000
120 to 149 days	4 mo. LIBOR less .40%	\$5,000,000
150 to 179 days	5 mo. LIBOR less .40%	\$5,000,000
180 to 269 days	6 mo. LIBOR less .40%	\$5,000,000
270 to 364 days	9 mo. LIBOR less .40%	\$5,000,000
365 days	1 yr. LIBOR less .40%	\$5,000,000

The fixed rate paid on certificates of deposit will be determined by LIBOR on the date the deposit is received. Certificates of deposit greater than one year are offered and rates will be negotiated on a case by case basis. Certificates of deposit greater than \$5,000,000 are offered and rates will be negotiated on a case by case basis. LIBOR definition: London Interbank Offer Rate, which represents a money market rate offered by banks for the placement of Eurodollars. Source, Bank Management 4th Edition, Koch and MacDonald. (This rate could change daily.)

The following web site provides information regarding LIBOR historical rates.

<http://www.bba.org.uk/bba/iss/colosolv.js?d=141&a=627>



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and possible action on Budget Amendment for Fiscal Year 2009	
Rationale/Background: Request for budget amendment #09-010 Campus Facilities Fund.	
Recommended Action: Motion to approve budget amendment #09-010 for Fiscal Year 2009 as presented.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:	
Attachments (List): Budget Amendment: #09-010 Campus Facilities Fund	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____


**TEXAS SOUTHMOST COLLEGE
BUDGET AMENDMENT REQUEST
2008-2009**

Department: Campus Facilities
Date: June 18, 2008

Item No.	Account Number	Account Title	Current Budget	Revenues	Expenses	Amended Budget
1	9198	Property Acquisitions	\$ 1,250,000	\$ -	\$ 207,567	\$ 1,457,567
		Campus Facilities Fund Balance	\$ 380,792	\$ -	\$ 207,567	\$ 173,225

Reasons for Amendments:

- 1 To rollover balance of funds approved for Property Acquisitions in November 2008

Asst VP for Finance 

President:  FOR JVG

This amendment has been accepted _____, rejected _____, by the Texas Southmost College Board of Trustees
on _____.

Roberto Robles, M.D., Secretary

#09-010



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and adoption of an order authorizing the issuance of "Texas Southmost College District Limited Tax Bonds, Series 2009"; entering into a bond purchase agreement and a paying agent/registrar agreement; approving an official statement; and authorizing and approving other matters related.	
Rationale/Background: In September 2004, the voters approved a \$68 million bond election for the construction of various projects on campus. This is the 5 th of 5 installments in the issuance of the \$68 million bonds.	
Recommended Action: Motion to approve resolution as presented.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If no, explain:	
Attachments (List): – Order authorizing the issuance of "Texas Southmost College District Limited Tax Bonds, Series 2009"	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: Finance Office/Partnership Affairs	Board Meeting Date: June 18, 2009
Agenda Item: Consideration and adoption of a resolution authorizing the issuance of "Texas Southmost College District Maintenance Tax Notes, Series 2009"; entering into a purchase contract and a paying agent/registrar agreement; approving an official statement; and authorizing and approving other matters related.	
Rationale/Background: In September 2004, the voters approved a \$68 million bond election for the construction of various projects on campus. In addition to these funds, the District has had the opportunity to leverage additional funds for campus maintenance and stay within the 3.8 cent increase limit presented to the voters at the time of the election.	
Recommended Action: Motion to approve required.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A If no, explain:	
Attachments (List): - Resolution authorizing the issuance of "Texas Southmost College District Maintenance Tax Notes, Series 2009"	

FOR OFFICE USE ONLY:
Board Action: Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Tabled for action on: _____
Certified by: _____ Title: _____ Date: _____