

**AMARILLO COLLEGE BOARD OF REGENTS
MINUTES OF SPECIAL BOARD MEETING
November 14, 2007**

REGENTS PRESENT: Ms. Lilia B. Escajeda, Chair; Mr. Carroll M. Forrester, Vice Chair; Mr. H. Bryan Poff, Secretary; Ms. Michele Fortunato; Mr. John D. Hicks; Mrs. Sharon Oeschger; Mr. Prenis O. Williams; and Dr. David C. Woodburn

REGENT ABSENT: Mr. Frank O. Nelson

OTHERS PRESENT: Dr. Steven W. Jones, President; Mr. Terry Berg, Dean of Finance & Administrative Services; Mr. Victor Fite, Dean of Informational Systems & Technology; Mrs. Ellen Green, Dean of College Communications and Marketing; Dr. Paul Matney, Vice President and Dean of Instruction; and Mrs. Damaris Schlong, Dean of Workforce & Economic Development

Mrs. Norma Campbell, Marketing Coordinator, College Relations
Mr. Bruce Cotgreave, Director, Physical Plant
Mr. Roger Cox, Legal Counsel
Mr. Edmund Johnston, Guest
Mr. Mac Johnston, Roth Products of Texas, Inc.
Mrs. Lori Merriman, Executive Secretary, President's Office
Mr. Brad Newman, representing *Amarillo Globe-News*
Mr. Clay Oats, representing KVII-TV, Channel 7
Mr. Greg Rohloff, representing *The Amarillo Independent*
Mrs. Brenda Sadler, Exec. Asst., Pres's Off. and Asst. Secy. to the Board of Regents
Mr. Robert Sanders, Legal Counsel
Mr. Lynn Thornton, Director of Administrative Services/Human Resources

The meeting was called to order by Ms. Escajeda, Chairman. She asked if any person would like to address the Board. Mr. Edmund Johnston asked to address the Board. He told the Board that at first he, as an Amarillo citizen, was opposed to the Tax Increment Reinvestment Zone (TIRZ) project, but after getting clarification and speaking with a City Commissioner, he changed his mind and is wholeheartedly behind the project. Mr. Johnston gave his support and best wishes.

CANVASSING OF THE NOVEMBER 6, 2007, BOND ELECTION RETURNS:

A tabulation of the votes cast at the precinct locations for the November 6, 2007, bond election is attached at pages 51 and 52.

CERTIFICATION OF ELECTION RESULTS ACCEPTED AND RESOLUTION ADOPTED:

A resolution certifying the results of the November 6, 2007, bond election is attached on pages 53 and 54.

Dr. Woodburn moved, seconded by Mrs. Oeschger, to accept the certification of election results and adopt the resolution certifying the results. The motion carried unanimously.

EVALUATION OF BIDS AND PROPOSALS FOR CONSTRUCTION SERVICES AND BOND COUNSEL RFQ APPROVED:**A. Construction Services**

The board of trustees of a school district that is considering a construction contract must, before advertising, determine which method provides the best value for the district.

Mr. Cotgreave told the Board that they have options as to how to proceed and the education code, chapter four dictates the following:

1. Competitive bidding
2. Competitive sealed proposals
3. Design/build contract
4. Contract to construct using a construction manager
 - Construction Manager-Agent
 - Construction Manager-At Risk

The Board has the authority to decide the design/building contract and who to hire to represent us as a construction manager. Mr. Cotgreave recommended to the Board to hire a Construction Manager-At Risk. He said we are looking at \$50 million worth of construction costs and a construction manager at risk will work with us from the beginning of all projects. Shiver-Megert has been selected as the architecture firm. If the Board chooses to hire a Construction Manager-At Risk we have a two step process to follow. First, we will send out an RFQ; open up for competitive bids and bring a recommendation back to the February Board meeting. Dr. Jones recommended that the Board set up a sub-committee to look at the RFQ packets in early February. There were questions regarding the difference between a Construction Manager-Agent and a Construction Manager-At Risk; Mr. Cotgreave said that the main difference is that the Construction Manager-At Risk provides insurance and bonding; they are responsible for costs and guarantee buildings are built for no more than the maximum amount which the amount will be provided by the subcontractor. They will work with the architect all the way through the project.

Ms. Fortunato moved, seconded by Mr. Williams, that we send out an RFQ for a Construction Manager-At Risk. The motion carried unanimously.

B. Bond Counsel RFQ

Mr. Poff moved, seconded by Mr. Hicks, that an RFQ be sent out seeking bond counsel. The motion carried unanimously.

The RFQ packet will be sent out and the deadline to receive them back will be December 12. A sub-committee of the Board needs to be appointed to look at the received RFQs between December 12 and the January 22 Board meeting. Ms. Escajeda appointed the following Regents to serve on the subcommittee: Carroll Mack Forrester, Michele Fortunato, Prenis Williams, and David Woodburn. Mr. Berg will set up the meeting.

CONSIDERATION OF TAX INCREMENT REINVESTMENT ZONE (TIRZ) PARTICIPATION AGREEMENT:

Mr. Berg reminded the Board how our involvement with TIRZ would affect Amarillo College. The downtown area is what will be affected. The contribution will be the base taxable value less the current value times the current tax rate which will provide a contribution of \$33 thousand instead of \$39 thousand for the 2008 fiscal year. It was also recommended to participate in the TIRZ with possible negotiation of the use of the M&O tax rate versus the total tax rate. Over 30 years, Amarillo College will have contributed around \$14 million from M&O. All three taxing entities that have decided to participate in the TIRZ project are Potter County, the City, and Amarillo College.

Dr. Woodburn moved, seconded by Ms. Fortunato, for Amarillo College to participate in the TIRZ agreement. The motion carried unanimously.

REQUEST FOR PROPOSAL NO. 1157 - NEW CARPET INSTALLATION AT BUSINESS & INDUSTRY CENTER APPROVED:

RFP No. 1157 for new carpet installation at Business & Industry Center, located on the Polk Street Campus, was advertised in the newspaper. Proposal Packages were received by five contractors. A tabulation of three proposals received is attached at page 55.

It was recommended to award Proposal No. 1157 to Ingram's Carpet & Tile, the low proposer to the specifications, for the amount of \$39,800.00. Funds for the project are available in the 2007-2008 A & I Budget.

Existing carpet has been in place since 1996 with consistently heavy traffic and is stained and worn. This project will coincide with the replacement of the seating in the auditorium at the Business & Industry Center.

Mrs. Oeschger moved, seconded by Mr. Hicks, to award proposal no. 1157 to Ingram's Carpet & Tile. The motion carried unanimously.

CLOSED SESSION:

At 12:40 p.m., Ms. Escajeda announced there would be a closed meeting to deliberate the purchase, exchange, lease or value of real property pursuant to Section 551.072, Texas Government Code.

At 1:00 p.m., Ms. Escajeda called the Amarillo College Board of Regents meeting back into open session. A motion was made by Ms. Fortunato to sell property on the East Campus to Roth Products of Texas, Inc.; Mr. Poff seconded. The motion carried unanimously.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

H. Bryan Poff, Secretary

