



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 • www.utb.edu

Board of Trustees

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Robert A. Lozano, M.D., Ph.D

David G. Oliveira

René Torres

UTB/TSC President

Juliet V. Garcia, Ph.D

Official Notice of the

**Texas Southmost College District
Regular Meeting**

for
June 16, 2011

Posted

June 13, 2011

AGENDA

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: Jun 13, 2011 at 04:39P

Joe G Rivera
County Clerk
By
Hassie Pena, Deputy
Cameron County

The Board of Trustees of the Texas Southmost College District will convene **Thursday, June 16, 2011, 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 Interim Vice President of Finance and Administration, Mr. Chet Lewis

2 Transition Team Status Report

Dr. Robert Furgason and Dr. John Anthony,
TSC Transition Team

3 Opening Statements by Trustees

4 Speakers to Agenda Items and Public Discussion

**5 Approval of Minutes of
Previous Meeting**

Consideration and possible action on:

Regular Meeting, May 25, 2011
Special Meeting, June 3, 2011

6 Executive Session

as provided by Government Code,
Chapter 551.071, 551.072 and 551.074.

Legal Matters

Litigation Regarding 0.96 Acres of
Land Cause No.1:08-CV-232 United
States of America vs. 0.96 Acres of
Land More or Less, et al.

Approval of Non Disclosure Agreement

Real Estate

Approval of Property Appraiser to
Conduct Appraisal of the Cueto Building
and the Dyna-Go Properties, Inc. dba
Rivercentre Plaza Land of 9.4 Acres and
Authorization for Interim Vice President
for Finance and Administration to
Execute the Appraisal

Personnel Matters

Update on Presidential Search

Approval of Presidential Screening
Committee Members

Discussion of Candidate for
Appointment to Transition Team

Assignment of Administrative Designee
to the Board of Trustees

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

Legal Matters

Litigation Regarding 0.96 Acres of
Land Cause No.1:08-CV-232 United
States of America vs. 0.96 Acres of
Land More or Less, et al.

Approval of Non Disclosure Agreement

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Approval of Property Appraiser to Conduct Appraisal of the Cueto Building and the Dyna-Go Properties, Inc. dba Rivercentre Plaza Land of 9.4 Acres and Authorization for Interim Vice President for Finance and Administration to Execute the Appraisal

Personnel Matters

Update on Presidential Search

Approval of Presidential Screening Committee Members

Discussion of Candidate for Appointment to Transition Team

Assignment of Administrative Designee to the Board of Trustees

8 Bank Depository

Consideration and possible action on:

Selection of Bank Depository for Fiscal Year 2012

9 Board Policies

Consideration and possible action on:

First Reading Board Policies:

V.B.2 – Deposits to and Withdrawals from Depository

V.B.4 – Check Writing and Safety Deposit Box

V.B.5 – Checks

V.F.5 – Purchasing and Bids: Level of Approval

10 Physical Facilities Committee

Consideration and possible action on:

Report

Selection of a Construction Management Consulting Firm to conduct a Review that will Include but not be Limited to the Audit of: Change Orders, Plans and Specifications, Consultant’s Contracts, Contractor’s Contracts, Bond Money Allocation, Project Close-Out Status, Project Allowances, and Project Warranties, Evaluation and Recommendations for Texas Southmost College District Bond Construction

Projects and Approval of Interim Vice
President of Finance and Administration
to Enter Contract Negotiations

11 Proposed Meeting Dates

Board Meetings:

TSC Budget Workshop/ Business
Affairs Partnership Committee Meeting

Monday, July 25, 2011

Thursday, July 28, 2011

Thursday, August 25, 2011

Thursday, September 15, 2011

Thursday, October 20, 2011

Adjournment

Individuals with disabilities are entitled to have access to and participate in public meetings. An individual requiring an accommodation for access to the meeting must notify the Texas Southmost College District in writing 24 hours prior to the scheduled meeting of the necessity of an accommodation. Upon receipt of this request, the Texas Southmost College District will furnish appropriate auxiliary aids and services when necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of the Board meeting as non-handicapped individuals enjoy.

Texas Southmost College District

Minutes of the Regular Meeting of the Board of Trustees

May 25, 2011

The Board of Trustees of the Texas Southmost College District convened in open session on May 25, 2011, at 5:30 p.m., in the Gorgas Board Room at The University of Texas at Brownsville and Texas Southmost College. Board members present were Francisco G. Rendon, Chair; Dr. Roberto Robles, Vice Chair; Adela G. Garza, Secretary; Trey Mendez; Dr. Robert A. Lozano; René Torres and David Oliveira. Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College was absent. Dr. Alan A. Artibise, Provost of The University of Texas at Brownsville and Texas Southmost College was present representing Dr. García.

Call to Order

The meeting was called to order by Chairman Rendon at 5:34 p.m.

1. Announcements

There were no announcements.

2. Transition Team Status Report

Chairman Rendon called on Dr. John Anthony and Dr. Robert Furgason Consultants for the Texas Southmost College (TSC) Transition Team. Dr. Anthony reported that the presidential search is moving forward. An advertisement has been placed in the Chronicle of Higher Education, which is a national publication. In addition, there were one hundred and sixty letters sent to colleagues and professionals across the country requesting applications and nominations

accompanied by the TSC Presidential Brochure. Twenty-four applications have been received, and three are sitting presidents. The applicants represent institutions across the country including Oregon, New York, McAllen, Laredo, Brownsville and Harlingen. By July, the screening committee will be working with the TSC Consultants to screen candidates. He reported that the overall process is on schedule and the decision will be a difficult one judging by the qualifications of the applicants. Dr. Anthony stated that he cannot disclose any information from the candidates until finalists are identified, but can answer any other questions that the Board may have.

Dr. Robles requested a "Plan B" from the TSC Consultants. He stressed his concern of hiring a finance person immediately to work on budgets. Dr. Anthony suggested that a President should be hired before a finance person; however, he and Dr. Furgason have discussed the necessity of hiring a financial consultant, or someone in an acting position prior to the president being hired. Dr. Robles stressed his concerns of not having a budget.

Dr. Furgason reported his awareness of the financial element and its need in order to move forward. He stated that one major activity is to identify and prioritize the issues that need to be addressed for the process of the separation and the creation of the administrative structure for TSC. He believes that both Transition Teams are in agreement on how to approach the infrastructure issues that are necessary as TSC becomes its own entity. The Transition Teams have established that Dr. David Prior, Executive Vice Chancellor and Dr. Martha Ellis will be the major contact people for the UT Transition Team. He stated both Transition Teams have agreed to assure the community and student body that the programs will be continued until the separation occurs.

Dr. Furgason reported that he has been working with Mr. Michael Putegnat and Institutional Research on how students are differentiated between UTB and TSC. Although it is still a working progress, the differentiation between students will not translate upon separation. He stressed the importance of knowing the number of students TSC will have because that will determine how many classrooms and faculty will be needed. Dr. Furgason reported on his work with Mr. Putegnat of the possibility of a student trial run to get a better feel for what will be expected when the two institutions are separated.

Dr. Furgason reported on his work on time schedules. Once the administrative structure for TSC is in place, certain academic elements and divisions can be transferred intact to TSC. Those divisions are being identified as well as the appropriate time for such a movement between the two entities. He stated that the two Transition teams will have monthly meetings and the next scheduled meeting will be in June.

Another area of importance is the contractual arrangements that are necessary to determine which building belongs to UTB or TSC and the determination of the need to exchange facilities services starting August. Dr. Furgason reported that he

has been asked by the Standard and Poor's to conduct a tour of campus of the facilities that have bonding requirements this summer.

Mr. Oliveira asked if the level of cooperation with UT System have been cooperative. Dr. Furgason believes that both teams understand that the most important thing that can be done by the Transitions teams is meet the needs for the Brownsville Community for Higher Education. He ensured the Board that the responsibility is for the students and higher education. Mr. Oliveira asked if Mr. Putegnat has been helpful. Dr. Furgason responded that he has been very helpful and knowledgeable.

Mr. Torres expressed that he is very pleased on the relationship with Mr. Putegnat and believes that he is very knowledgeable. Dr. Furgason agreed and stated that there is an overall desire for both institutions to work together.

Chairman Rendon stated the importance of the success of both UTB and TSC. Dr. Furgason agreed that a community college is the greatest asset for a university because they are a big feeder to the university and anticipates that to happen in the Brownsville Community.

Mr. Mendez expressed his concerns regarding the faculty on the separation and asked how that was being addressed. Dr. Furgason responded that the faculty has concerns about their positions during transition period and what the future holds. The determination of the number of UTB/ TSC will be the key in determining the need of faculty members in the institution.

3. Opening Statement by Trustees

Chairman Rendon stated that last October, the first-ever White House Summit on Community Colleges was presented by Dr. Jill Biden. President Barack Obama has set a goal to lead the world with the highest proportion of college graduates by 2020 emphasizing the importance of Community Colleges. A short video was shown to highlight the critical role that community colleges play in developing America's workforce.

4. Speakers to Agenda Items and Public Discussion

There were no speakers.

5. Appearance before the Board

Chairman Rendon called on Mr. Antonio Del Pozo, Grupo Ayusa to give a presentation. Mr. Del Pozo gave a presentation regarding the TSC Student Housing.

6. Approval of Minutes of Previous Meetings

Consideration and Possible Action on Approval of Minutes of the Regular Meeting on April 28, 2011

A motion was made by Mr. Mendez to approve the Minutes of the Regular Meeting on April 28, 2011 as presented. The motion was seconded by Mr. Torres and carried unanimously.

7. Executive Session

as provided by Government Code,
Chapter 551.071, 551.072 and 551.074.

The Board convened in Executive Session at 6:29 p.m.

The Board reconvened in Regular Session at 8:27 p.m.

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

Litigation Regarding 0.96 Acres of Land Cause No. 1:08-CV-232 United States of America vs. 0.96 Acres of Land More or Less, et al.

Chairman Rendon called on Frank Perez, TSC Attorney to explain the litigation. Mr. Perez explained that he spoke with the United States Attorney office and was informed that there were eight separate lawsuits in different stages of litigation that involved the restrictive covenant of the Amigoland area. At least four of the lawsuits that were sent already had final orders and have been administratively closed. Mr. Perez reported that the pieces of property are on Sam Perl Boulevard between the Gateway International Bridge and B & M Bridge and that TSC is not involved. He stated that he will talk to the US Attorney office on the four that are closed administratively and sign the waivers that state that TSC has no involvement or interest getting involved in the lawsuit.

A motion was made by Mr. Torres to allow Frank Perez, TSC Attorney, to discuss with the United States Attorney office and ensure TSC properties are not involved, and to authorize Frank Perez to sign waivers on those properties that are already closed. The motion was seconded by Mrs. Garza and carried unanimously. *Exhibit "A"*

Legislative Update to House Bill 3689 and Senate Bill 1909

Chairman Rendon called on Mr. Perez to give the update. Mr. Perez reported that language was added to the bill that is included in section V-D and reads as follows: "The University of Texas at Brownsville and Texas Southmost College District shall submit to the Legislature a semi-annual report status of the partnership until each institution achieves separate accreditation and the existing partnership agreement is terminated." He stated that the language was added to the bill of Senator Eddie Lucio and Representative Rene Oliveira.

Discussion with TSC Legal Counsel Regarding Pending Litigation vs. TSC

Mr. Perez stated that Daniel Rentfro is lead counsel for TSC in the Joe Lee Rubio case and the case is pending in the Texas Supreme Court. He reported that Mr. Rubio filed a petition for review in Texas Supreme Court and a waiver for a response to the petition for review. He confirmed that was the appropriate thing to do and it reserved TSC's right to respond if the Texas Supreme Court requests.

Discussion with TSC Legal Counsel Regarding Contract Negotiations with UT System

No action was taken.

Approval of TSC Legal Counsel Invoice

A motion was made by Mr. Mendez to approve invoices for TSC Legal Counsel as presented. The motion was seconded by Mrs. Garza and carried unanimously. Exhibit "B"

Discussion on Authorizing Staff to bid the Sale of Property Located at 1027 E. 17th Street on E. Jackson Street (a Rear ½ Lot 5, Block 7, Paredes Track Additon, Brownsville, Texas)

Mr. Oliveira expressed his concerns of selling property belonging to TSC. The program for the last twenty years has been to acquire as many lots adjacent to campus as needed for parking. He understood that it was not a full size lot; however lots are needed adjacent to campus for parking. The area next to Tandy Hall is a high congested area.

Mr. Mendez understood Mr. Oliveira's concern, however the lot is a half lot, therefore, not many cars will fit in the lot. Also, it is surrounded by other lots that do not belong to TSC. Mr. Mendez stated that it is his belief that TSC is not currently looking to purchase any lots in that area and the selling of this property would be advantageous for the District.

Dr. Robles also expressed concerns on selling property that is adjacent to Tandy Hall.

Ms. Garza agreed with Mr. Mendez that there is no use for the lot at the moment.

A motion was made by Mr. Mendez to authorize TSC Staff to begin a bidding process to sell the property located at 1027 E. 17th Street on E. Jackson Street (a Rear 1/2 Lot 5, Block 7, Paredes Track Addition, Brownsville, Texas) that it being a sealed bid and the Board have the choice to accept the bid. The motion was seconded by Mr. Torres. The motion was carried. Those voting in favor of the motion were Mrs. Garza, Mr. Mendez, Mr. Torres, Dr. Lozano and Mr. Rendon. Dr. Robles and Mr. Oliveira voted against. Exhibit "C"

Discussion Regarding Dyna-Go Properties, Inc. dba Rivercentre Plaza Land Sale of 9.4 Acres

Mr. Torres reported that TSC is not in the situation to buy or sell property. He reported that this particular property in question is 9.4 acres located next to La Estancia. He stated that TSC is not committed to buying or committed exchanging the property. Mr. Torres expressed his support to secure a list of appraisers and get appraisals for both the Rivercentre property and the Cueto Building property in order to make an informed decision. He believes that this property is valuable to TSC in the future and also valuable for UTB.

Chairman Rendon explained that the TSC District owns the Cueto Building and there is an option that is being discussed to exchange the Cueto Building for the Rivercentre property, which will be valuable to the District for parking.

Mr. Oliveira expressed his concerns with purchasing the property at this time. If the board is inclined to purchase, he requested that the Board choose the appraiser and not the legal counsel.

Dr. Robles agreed with Mr. Torres but expressed his concerns that TSC is digressing from the focus of the Transition Team. Mrs. Garza expressed her support for the opportunity to find out how much the property is worth.

Mr. Mendez stated that it is a unique opportunity to possibly exchange one piece of property that TSC owns for the lots. Depending on the fair market values, it could be an even exchange. We could be acquiring a key piece of property, without

costing the District at this time. He believes this is worth assessing the value of both properties.

Dr. Lozano expressed his concern that the Board should be focused on the Transition and long term goals at this time. The hiring of a President is extremely important. He expressed his lack of confidence that this piece of property is part of the long term plan for TSC. He expressed his concerns of keeping with the motions passed in March of not committing to purchase any further properties.

Mr. Torres reaffirmed that purchasing the property is not an option; it is simply a request for an appraisal. Mr. Mendez expressed that assessing the market does not leave anything committed to in the future. Mr. Oliveira reminded the Board that the District obligated by law to pay fair market value, whether it's a purchase or a swap. In proposing the spirit of cooperation with UT System, he expressed his concern of sending a wrong message with competing with UT System.

A motion was made by Mr. Torres to authorize staff to secure a list of appraisers to be presented at the next Board meeting and if motion passes to have the Cueto and Dyna-Go property appraised. The motion was seconded by Mrs. Garza. The motion was carried with Mrs. Garza, Mr. Mendez, Mr. Torres and Mr. Rendon voting in favor of the motion. Dr. Robles, Dr. Lozano, and Mr. Oliveira voted nay. Exhibit "D"

TSC Transition Team Contracts Negotiations Timeline, Programs and Schedule

A motion was made by Dr. Lozano to authorize Dr. Anthony and Dr. Furgason, TSC Transition Team to negotiate a contract for a Financial Consultant to help TSC District matters up to a year contract. The motion was seconded by Mr. Torres and carried unanimously.

Update on Presidential Search

Chairman Rendon stated that the Board was updated in the beginning of the meeting by Dr. Anthony.

Approval of Presidential Screening Committee Members

Chairman Rendon reported that the Board will form a presidential screening committee of nine to ten members. These committee members will assist in the process of the selection of a TSC President. The names of the Presidential Screening Committee Members will be announced at the next Board meeting.

Discussion of TSC District Office Personnel

Chairman Rendon reported recommendations for staff changes and adjustments to the TSC District office personnel have been made by Dr. Anthony and Dr. Furgason.

Dr. Lozano agreed that the TSC District office personnel have been working very hard and agreed to accept the recommendations as presented.

Mrs. Garza and Mr. Rendon agreed with Dr. Lozano and thanked the TSC District Office staff for their hard work and dedication.

A motion was made by Mr. Torres to accept the recommendation of the TSC District Office Personnel as presented. The motion was seconded by Mrs. Garza and carried unanimously.

9. External Audit

Consideration and Possible Action on Selection External Auditors for FY 2011 Audit

Chairman Rendon stated that in May 2010, the Board approved the hiring of Patillo, Brown & Hill, LLP to provide auditing services for Fiscal Year 2010 with an option to extend each year for up to a maximum of four years. Staff is recommending that the Board extend its contract with Patillo, Brown & Hill, LLP to provide auditing services for Fiscal Year 2011 in the amount of \$30,000.

A motion was made by Mr. Torres to extend the contract with Patillo, Brown & Hill, LLP to provide auditing services for Fiscal Year 2011 in the amount of \$30,000 as presented. The motion was seconded by Dr. Robles and carried unanimously. Exhibit "E"

10. Budget Amendment

Consideration and Possible Action on Approval of Budget Amendments for Fiscal Year (FY) 2011

Chairman Rendon stated that two budget amendments are being presented for consideration. Budget Amendments 11-005 and 11-006 both adjust funds to cover invoices that were not received until after the 2011 budget was made and both expenses were previously approved by the board.

Ms. Nancy Saldaña reported that budget amendment #11-005 is to cover the TSC runoff election expenses. Budget amendment #11-006 is to cover the Campus Facilities funds and all funds are being moved from the FY 2010 to FY 2011

A motion was made by Mrs. Garza to approve budget amendments #11-005 and #11-006 for Fiscal Year 2011 as presented. The motion was seconded by Mr. Torres and carried unanimously. Exhibit "F"

11. 2nd Quarter Financial Statements and Investment Report

Chairman Rendon called on Ms. Nancy Saldaña, Director of Finance, to provide a brief report on the Second Quarter Financial Statements and Investment Report for FY 2011. Ms. Saldaña stated that the reports are provided for informational purposes only, and no action is required by the Board. The interest earned for the 2nd quarter investment report totaled \$20,762.35. The interest is being generated in the various checking and cd's with Compass Bank. The financial statements are for FY 2010-2011 and cover operations from December 2010 thru February 2011. She stated that the general fund revenue received is from state appropriations and Ad Valorem taxes. She also stated that 88% of the taxes has been collected which comparable to last year collection rate of 90%. During the 2nd quarter TSC paid their first semi-annual principle interest payment due on the bonds totaling 4.7 million and the next payment of approximately 3.1 million is due in August 2011.

12. Proposed Meeting Dates

Thursday, June 16, 2011

Thursday, July 21, 2011

Thursday, August 18, 2011

Thursday, September 15, 2011

Thursday, October 20, 2011

Adjournment

The meeting was adjourned by Chairman Rendon at 9:11 p.m.

Mr. Francisco G. Rendon
Chairman, Board of Trustees

Ms. Adela G. Garza
Secretary, Board of Trustees

DRAFT

NOTE: The tape of the Regular Board of Trustees meeting held on May 25, 2011, is on file at the District Office of the Texas Southmost College District. The master tape is on file at UTB/TSC Media Services. These minutes were taken and transcribed by Max E. Roca, Administrative Secretary. 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

Minutes of the Special Meeting of the Board of Trustees

June 3, 2011

The Board of Trustees of the Texas Southmost College District convened in open session on June 3, 2011, at 2:00 p.m., in the Board Room of Gorgas Hall at The University of Texas at Brownsville and Texas Southmost College. Board members present were Francisco G. Rendon, Chair; Adela G. Garza, Secretary; Trey Mendez; and René Torres. Board member Dr. Roberto Robles, Vice Chair; Dr. Robert Lozano, Mr. David Oliveira and Dr. Juliet V. García, President of The University of Texas at Brownsville and Texas Southmost College were absent.

Call to Order

The meeting was called to order by Chairman Rendon at 2:05 p.m.

1. Executive Session

as provided by Government Code,
Chapter 551.071 and 551.074.

The Board convened in Executive Session at 2:06 p.m.

The Board reconvened in Regular Session at 3:12 a.m.

2. Consideration and Possible Action on Matters Discussed in Executive Session

Approval of Property Appraiser

A motion was made by Mr. Torres to authorize staff to obtain appraisals for the Cueto Building and for each lot within the approximate 9.4 acres known as Rivercentre Plaza from Barreda Appraisals & Real Estate. The motion was seconded by Mrs. Garza and carried unanimously.

Discussion of Interim Vice President for Administration and Finance Position

A motion was made by Mrs. Garza to authorize the Transition Team, Dr. Anthony and Dr. Furgason, and the TSC Legal Counsel to negotiate a contract with Mr. Chet Lewis as Interim Vice President for Administration and Finance for up to eighteen months at a compensation comparable to other medium size Community Colleges. The motion was seconded by Mr. Torres and carried unanimously.

Adjournment

The meeting was adjourned by Chairman Rendon at 3:17 p.m.

Mr. Francisco G. Rendon
Chairman, Board of Trustees

Ms. Adela G. Garza
Secretary, Board of Trustees

NOTE: The tape of the Special Board of Trustees meeting held on June 3, 2011, is on file at the District Office of the Texas Southmost College District. The master tape is on file at UTB/TSC Media Services. These minutes were taken and transcribed by Max E. Roca, Administrative Secretary. Video taping 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: TSC District Office	Board Meeting Date: June 16, 2011
Agenda Item: Consideration and possible action on First Reading Board Policy V.B.2 – Deposits to and Withdrawals from Depository, V.B.4 – Check Writing and Safety Deposit Box, V.B.5 – Checks, V.F.5 – Purchasing and Bids: Level of Approval.	
Rationale/Background: These changes revise the signature delegation to reflect recent organizational changes so that signature authority for daily operations and other operational activities can continue and to facilitate efficient transition in the future when there are management and/or organizational changes. Changes: 1. Read "President or the Administrative Designee of the Board" rather than "UTB/TSC President or designee"	
Recommended Action: No action required, unless a unanimous vote of the full board occurs. Policies will be presented for second reading and approval at the next board meeting.	
Fiscal Implications: Budgeted Item: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:	
Attachments (List): TSC Policy V.B.2 – Deposits to and Withdrawals from Depository TSC Policy V.B.4 – Check Writing and Safety Deposit Box TSC Policy V.B.5 – Checks TSC Policy V.F.5 – Purchasing and Bids: Level of Approval	

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

**TEXAS SOUTHMOST COLLEGE
POLICY STATEMENT**

TITLE	Deposits to and Withdrawals from Depository	NUMBER V.B.2
AUTHORITY	SUJCD <u>Texas Southmost College District</u> Board of Trustees	PAGE 1 of 1

APPROVED BY BOARD OF TRUSTEES: February 24, 1971

LAST AMENDED BY BOARD: November 1, 2001

POLICY:

The ~~UTB/TSC President or designee~~ President or the Administrative Designee of the Board is authorized to endorse checks payable to the College for the purpose of depositing them into the proper account at the depository bank. The ~~UTB/TSC President or designee~~ President or the Administrative Designee of the Board is also authorized to make withdrawals from said account.

TEXAS SOUTHMOST COLLEGE	BOARD OF TRUSTEES	
_____	CHAIR	DATE
UTB/TSC PRESIDENT _____	SECRETARY	DATE
DATE		

**TEXAS SOUTHMOST COLLEGE
POLICY STATEMENT**

TITLE	Check Writing and Safety Deposit Box	NUMBER V.B.4
AUTHORITY	Art. 3, Sec. 52, Texas Constitution	PAGE 1 of 1

APPROVED BY BOARD OF TRUSTEES: July 30, 1968

LAST AMENDED BY BOARD: November 1, 2001

POLICY:

- a. The ~~UTB/TSC President or designee~~ President or the Administrative Designee of the Board and the Chairperson and the Secretary of the Board of Trustees are empowered to sign checks and are permitted access to the District's safety deposit box.
 - i. Three signatures are required on checks.
 - ii. Any two must be present in order to get access to the safety deposit box.
- b. Signature cards of former incumbents will be voided, and new cards will be provided to the depository bank when changes in authorized personnel occur.

TEXAS SOUTHMOST COLLEGE	BOARD OF TRUSTEES
_____	CHAIR _____ DATE _____
UTB/TSC PRESIDENT _____ DATE _____	SECRETARY _____ DATE _____

**TEXAS SOUTHMOST COLLEGE
POLICY STATEMENT**

TITLE	Checks	NUMBER V.B.5
AUTHORITY	Art. 3, Sec. 52, Texas Constitution	PAGE 1 of 1

APPROVED BY BOARD OF TRUSTEES: June 23, 1969

LAST AMENDED BY BOARD: ~~November 1, 2001~~ May 17, 2010

POLICY:

- a. In cases of checks bearing the face value of less than \$4,999.99, the machine signature of the Chairperson and the Secretary of the Board of Trustees of the Texas Southmost College District, plus the facsimile signature of the ~~UTB/TSC President~~ President or the Administrative Designee of the Board, will serve to validate said checks.
- b. In cases involving checks bearing the face value of \$5,000 or more (except payroll checks), the machine signature of the Chairperson and the Secretary, plus the hand signature of the ~~UTB/TSC President or the Designee of the~~ UTB/TSC President or the Administrative Designee of the Board, will serve to validate said checks.

TEXAS SOUTHMOST COLLEGE	BOARD OF TRUSTEES	
_____	CHAIR	DATE
UTB/TSC PRESIDENT _____	SECRETARY	DATE

**TEXAS SOUTHMOST COLLEGE
POLICY STATEMENT**

TITLE	PURCHASING AND BIDS: LEVEL OF APPROVAL	NUMBER V.F.5
AUTHORITY	By Authority of the Board of Trustees	PAGE 1 OF 2

APPROVED BY BOARD OF TRUSTEES: April 29, 1999

LAST AMENDED BY BOARD: ~~January 18, 2006~~ May 17, 2010

POLICY:

- a. No competitive quotes are required on a purchase of and less than \$2,000.
 - i. Requisitions shall be requested and approved by separate individuals.
- b. District expenditures under \$3,000 will require the approval of the ~~Designee of the UTB/TSC President~~ President or the Administrative Designee of the Board.
- c. Expenditures over \$3,000 and under \$25,000 will require the approval of the ~~UTB/TSC President or the Designee of the UTB/TSC President~~ President or the Administrative Designee of the Board.
- d. Bids shall be asked for all purchases over \$2,000 and under \$25,000 in accordance with the following:
 - i. Amounts from \$2,000-\$5,000 shall receive at least three (3) verbal quotes.
 - ii. Amounts over \$5,000, but less than \$25,000 shall receive at least three (3) written quotes. If the quotes are not received, then written justification must be submitted to, and the approval of the ~~District Comptroller~~ President or the Administrative Designee of the Board obtained.
 - iii. Notice of time and place where contracts valued at less than \$25,000 but more than \$10,000 will be let, may be limited to two successive issues of at least two (2) major newspapers published in Cameron County.
 - iv. Purchases for less than \$25,000 may be made from other governmental agencies without receiving verbal or written bids.
- e. Purchases for amounts of \$25,000 or more shall require competitive bidding and shall be in accordance with the following, except when purchased under State of Texas Group Purchasing Program:
 - i. Competitive bids shall be sought for the purchase of personal property or for construction, maintenance, repair or renovation of any building or for materials used in said construction, maintenance, repair or renovation, when said purchases or contracts are valued over \$25,000.
 - ii. Notice of the time and place where contracts valued at \$25,000 or more will be let, shall be published in at least two (2) major newspapers within Cameron County once a week for at least two (2) weeks prior to the time set for letting said contract.
- f. The Board of Trustees will designate a representative who may purchase without competitive bidding an item that is available from only one source, including:
 - i. An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly.
 - ii. A film, manuscript or book.
 - iii. A utility service (e.g. water, gas, electricity).
 - iv. A captive replacement part or component for equipment.
 - v. Advertisements in local newspapers will not require bids when there is only one resident newspaper in the College taxing district.

- g. The exceptions provided by this subsection shall not apply to mainframe data processing equipment and peripheral attachments with a single-item purchase price in excess of \$25,000.
- h. Competitive bids received prior to deadline for submitting such bids shall be opened at a meeting, notice of which has been duly posted, shall be attended by the ~~District Comptroller~~ President or the Administrative Designee of the Board, designee, and any Board members who may wish to be present. These meetings shall be open to the public.
- i. It shall be the responsibility of the ~~Designee of the UTB/TSC President~~ President or the Administrative Designee of the Board to prepare a summary of bids received and to present such summary and recommendation to the ~~UTB/TSC President~~ President or the Administrative Designee of the Board who will then make a recommendation to the TSC District Board of Trustees on all items \$25,000 or more.
- j. The TSC District Board will make the final decision.
- k. The Board of Trustees shall have the right to reject any or all bids.
- l. If a school building or school equipment is destroyed or severely damaged, and the Board determines that the time delay posed by the competitive bidding process would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of such building or equipment may be made without resort to competitive bidding.
- m. Competitive bids may not be solicited for professional services of any licensed architect, physician, certified public accountant, or professional engineer.

TEXAS SOUTHMOST COLLEGE	BOARD OF TRUSTEES
<hr/>	<hr/>
UTB/TSC President <u>DATE</u>	CHAIR DATE
	<hr/>
	SECRETARY DATE

Physical Facilities Committee

The Physical Facilities Committee met on Monday, June 14, 2011. Board members present were Mr. Rene Torres, Mrs. Adela Garza, Ex-Officio Member Mr. Kiko Rendon and myself. Others present were Mr. Chet Lewis and Mr. Michael Putegnat.

The first item discussed was the selection of a construction management consulting firm to conduct a review of the Texas Southmost College District Bond construction projects. At the April 28, 2011 Board of Trustees meeting, staff was directed to begin the RFQ process to select a Consulting Management Firm to conduct an audit review. The committee discussed the purpose of this audit and the need to change the type of audit from an accounting audit to that of a management audit. I have requested that both firms present their qualifications to the Physical Facilities Committee and invite the entire board for the presentation. Mr. Torres, Mrs. Garza and Mr. Rendon expressed their desire to move forward with this process. After a firm is selected, Mr. Lewis will negotiate a price for final approval by the Board.

The Committee recommends and I move to authorize staff to invite both Consulting Management Firms, Prodigy Construction Management, LLC and Spire Consulting Group, LLC, to give a formal presentation on qualifications to the Physical Facilities Committee meeting in July.

I would encourage all Board members to attend the PFC meeting in July to hear the presentations.

The next item discussed was the future remodeling of the Neale House and Officers Quarters. Mr. Lewis explained and presented a letter indicating the obligation to renovate and restore the Neale House. He indicated that this renovation is tentatively planned to be included in the 2012 Historic Renovations Budget. He also explained that the Officers Quarters renovation is currently funded in the 2011 budget. Both items will be addressed during the budget preparation process and priorities will be placed at that time.



TEXAS SOUTHMOST COLLEGE DISTRICT

BOARD AGENDA REQUEST FORM

Department/Division: TSC District Office	Board Meeting Date: June 16, 2011
Agenda Item: Consideration and possible action on Selection of a Construction Management Consulting Firm to conduct a review that will include but not limited to the Audit of: Change Orders, Plans, and Specifications, Consultant's Contracts, Contractor's Contracts, Bond Money Allocation, Project Close-Out Status, Project Allowances, and Project Warranties, Evaluation and Recommendations for Texas Southmost College District Bond Construction Projects and Approval for Chairman to Enter Contract Negotiations.	
Rationale/Background: On April 28, 2011, Texas Southmost College District Board of Trustees instructed staff to begin the Request for Qualifications (RFQ) Process to select an appropriate Consulting Management Firm to conduct the audit review of the bond construction projects. The qualifications were received on May 26, 2011, from two Consulting Firms Prodigy Construction Management, LLC from McAllen, Texas, and Spire Consulting Group, LLC from Austin, Texas.	
Recommended Action: Motion to recommend and authorize the Interim Vice President of Finance and Administration to enter contract negotiations for Construction Management Consulting Firm. If unable to reach an agreement with this firm, negotiations should then be made with the second highest ranked respondent.	
Fiscal Implications: Budgeted Item: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If no, explain:	
Attachments (List): -Evaluation Sheet -Qualifications from Prodigy Construction Management, LLC -Qualifications from SPIRE Consulting Group, LLC	

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

Evaluation Sheet

TSC N. RFQ11-14

"Construction Management Consulting Services"

Evaluator Name: _____

EVALUATION CRITERIA BREAKDOWN	Response Rankings	
	Prodigy	SPIRE
Rating Scale of 5 (highest) to 1 (lowest)		
Scale 0 to 5: 0-1 Minimally addressed requirements/2-3-Meets requirements/ 4-5 Exceeds requirements		
Statement of Interest		
Prime Firm		
Project Team		
Representative Projects		
References		
Project Execution		
Statement of Interest	10%	
Prime Firm	5%	
Project Team	15%	
Representative Projects	50%	
References	5%	
Project Execution	15%	
	100%	
	0.00	0.00

No action required in this section .



Request for Qualifications

“Construction Management Consulting Services”
TSC RFQ No. 11-14



Construction Management LLC

PRODIGY CONSTRUCTION MANAGEMENT

Accountability that is Measurable and Attainable

May 26, 2011

Ms. Patricia G. Sanchez
Texas Southmost College District
Ms. Patricia G. Sanchez
Gorgas Tower
80 Fort Brown
Brownsville, Texas 78520

RE: Construction Management Consulting Services - RFQ No: TSC RFQ11-14 – Addendum No. 1

Dear Ms. Sanchez,

On behalf of the Prodigy Construction Management L.L.C. Team, I wanted to thank you for considering Prodigy CM's qualifications regarding the objective of providing The Construction Management Consulting Services for the Texas Southmost College District.

We greatly appreciated the opportunity to meet with you at the pre-submission conference on May 20, 2011. I thank you for better clarifying our concerns regarding the TSC RFQ No. 11-14 and its subsequent Addendum No. 1. It is important to note that the pre-submission conference allowed us to better understand exactly how important this project is to the Texas Southmost College District.

Please know that Prodigy Construction Management L.L.C. shares the same sentiment and passion in providing the "*Accountability that is Measurable and Attainable*" for the TSC RFQ No. 11-14.

Respectfully Submitted,
Prodigy Construction Management L.L.C.



Alex Palacios – CEO Principal

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PRODIGY CONSTRUCTION MANAGEMENT

Accountability that is Measurable and Attainable

STATEMENT OF INTEREST

May 26, 2011

Ms. Patricia G. Sanchez
Texas Southmost College District
Ms. Patricia G. Sanchez
Gorgas Tower
80 Fort Brown
Brownsville, Texas 78520

RE: Construction Management Consulting Services - RFQ No: TSC RFQ11-14

Dear Ms. Sanchez

On behalf of the Prodigy Construction Management L.L.C. team, I want to thank you for your consideration of our firm's qualifications regarding the objective of providing a review and analysis of the construction management process of the most recent Texas Southmost College District bond projects.

Through this Response to the TSC Request for Qualifications, we hope to reveal that Prodigy Construction Management L.L.C. brings to you a uniquely qualified portfolio that will satisfy the requirements of your requested RFQ.

Why Prodigy?

CONSTRUCTION MANAGEMENT AUDIT

Our goals in providing Construction Management Audits are to assist each client's needs through our "Quality Value Assessment Program". This program starts with the assessment of the overall project management process from the project planning and preliminary design phases through the design, engineering, costs analysis value engineering, construction implementation, change orders, contractual issues, project completion and warrant follow-up. After the audit review process, we will identify the resources which were utilized in each aspect of the project to identify the overall financial management of the project, including but not limited to the allocations and usage of contingencies, allowances, betterments, multipliers, liquidated damages and consultant fees. Our Quality Value Assessment Program will identify for our clients a methodology which may be implemented in the future to allow our clients to recognize a better value of their construction funds.

CONTRACT AUDIT VERIFICATION

Prodigy CM's in house legal counsel will provide a contractual review of the Architect, the General Contractor and the Project Management's contracts which will aid in possibly identifying provisions that may or may not have served the best interest of the client. This legal review is a crucial element of the Quality Value Assessment Program.

4409 N. 22nd Street, McAllen Texas 78504

956.971.0050 (ph) 956.971.0069 (fax)

FINANCIAL AUDIT REVIEW

Prodigy CM's will provide a financial audit which identifies areas wherein the Owner contractually relinquished its direct control over its assets through contingencies, allowances, betterments, change orders, multipliers, liquidated damages, consultant fees, printing, closing documentation and ownership of intellectual property. Additionally, PCM will audit the monthly verifications of construction progress and work performed against the pay applications submitted.

CONSTRUCTION AUDIT

Prodigy CM will review and audit:

Preconstruction services – project management and implementation of plan reviews.

Pre-design and design phase services – audit design phase work.

Procurement phase services – evaluate procurement with the TSC standards.

Construction phase services – review and analyze all construction activity documentation.

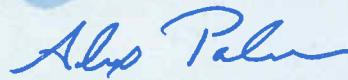
Close out phase services – audit all close out documentation and warranty

PCM's professional evaluations and analysis of troublesome projects can give the client a better understanding of the actions which may resulted in a "problematic project" and will, in turn, help reduce the client's future risks. We are experienced in dealing with a broad spectrum of construction difficulties and through the above referenced services identify problems encountered by architects and general contractors.

If selected, the Prodigy CM Team pledges to provide a direct and revealing final report of the review of the application of the TSC bond funds on the referenced projects in which direct opinions / recommendations will be expressed along-side our findings, with the intent of initiating a discussion on recommendations for corrections and or improvements.

We humbly appreciate the opportunity to participate in your selection process and further present our qualifications in person.

Respectfully Submitted,
Prodigy Construction Management L.L.C.



Alex Palacios – CEO Principal

Prime Firm



Mario Rodriguez
Attorney / Construction Manager

Alex Palacios, Principle
Construction Administrator

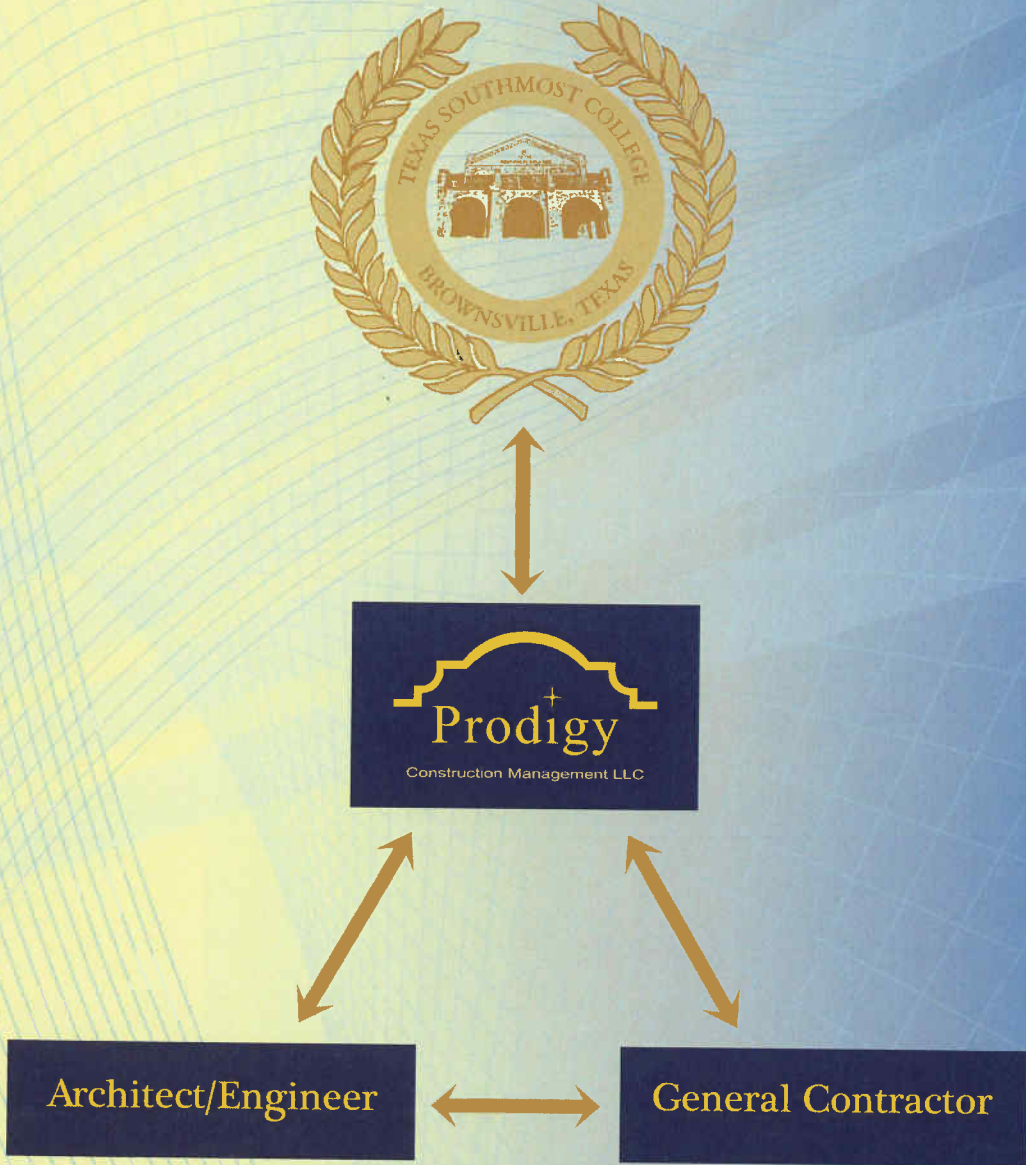
Donna Rodriguez
Construction Manager

Other Consultants
(as needed)

Nancy Sanchez
Accountant / Auditor

Support Staff

Prime Firm Organizational Chart





Alex Palacios; CEO/Principal Construction Manager Technical Support

Mr. Palacios is a native of the Rio Grande Valley and has acquired more than 23 years of combined engineering and construction administration experience. He has managed, directed, designed, constructed and engineered various commercial and industrial projects in the areas of private and public construction in the State of Texas and Mexico.

During his work experiences of various commercial/industrial construction projects, Mr. Palacios has been able to effectively utilize his technical design engineering experience coupled with his field work in Construction Management to achieve successful and well managed Facilities. His day-to-day construction management responsibilities include construction documentation, trades coordination, project record keeping, construction accountability, OSHA safety regulations, enforce building codes, plan reviews, mitigation, A/E selections, and project close-outs. Negotiate all A/E contracts, reviews all change order requests, reviews all pay applications and manage project material testing labs.

Mr. Palacios has extensive experience in Educational-Secondary and post-secondary education, private commercial, public commercial and industrial-warehouse building structures, municipal, State and Federal projects. Current Managed Construction Budget in excess of 80 million in the last 5 years.

Mr. Palacios is bilingual and fluent in English/Spanish.

EXPERIENCE

Owner's Representative Construction Administrator for Weslaco Independent School District; Weslaco, Texas

Provided 100% Construction Project Management and Facilities Programming for over 80 million dollars of new and remodeled construction work. I coordinated all construction efforts between department staff, maintenance departments, architects, engineers and general contractors. I was also responsible for managing bond construction monies. I exercised centralized authority and control over all project management. Duties also included contract negotiations, scheduling, change order reviews, project documentation, weekly reports and coordinated close-out operations. Provide sound and effective decision making in managing the construction projects based on the project generated documentation.

Ben Bolt- Palito Blanco Independent School District; Ben Bolt, Texas Project Management Consultant

Prodigy provided project management in assisting the Board of Trustees and the Superintendent of Schools in creating and developing the A/E criteria, contract negotiations and Board ranking system for a 4.5 million dollar construction bond. Assisted in contract resources such as budgets, AIA contracts, construction scheduling, personnel and outlay in the facilities planning. Provide sound and effective decision making in managing the construction AIA documents for architect negotiation with the owner.

Project Role:

Project Administrator
Document Control and
Technical Support

Education:

Bachelor of Science
Mechanical Engineering
U. T. at Pan American, 1996
Associates Science Technical
Degree
Texas State Technical College,
1989

Registrations/Certifications:

-TDLR-HVAC ; Texas
No. TACLA18713E

Professional Affiliations:

STASMO – South Texas
Association of Maintenance and
Operations

ASHRAE- American Society of
Heating, A/C & Refrigeration

American Society of Mechanical
Engineers

Community Service:

McAllen ISD Board Trustee;
President 2000-2004

City of McAllen-Planning &
Zoning Board
2001-2003

OLPH Parish Church Council
Vice-President

VAMOS Scholarship Mentor
2010-current

Years of Experience:

+23

Office:

McAllen, Texas

Alex Palacios; Project Manager
Prodigy Construction Management LLC





Donna Rodriguez

Construction Manager
Technical Support

Project Role:

Construction Management
Document Control and
Technical Support

Education:

Bachelor of Science
Construction Science

Texas A&M University, 1989

Community Services:

City of McAllen Planning &
Zoning Board of Adjustments and
Appeals Co-Chair

City of McAllen Housing Authority
Board- member

City of McAllen Parks &
Recreation – Current Chair

Years of Experience:

20

Office:

McAllen, Texas

Ms. Donna Rodriguez, a Valley resident since 1992, has been involved in construction management for over twenty years. Ms. Rodriguez is also a 1989 graduate of Texas A&M University with a Bachelor of Science degree in Construction Science. She has spent her career implementing construction project management plans for such entities as the State of Texas Preservation Board, Fluor Daniel Inc., Texas Department of Transportation (TxDot) and Faulkner Construction.

Ms. Rodriguez has served as the on-site representative / construction manager overseeing various construction jobs from start to finish. Ms. Rodriguez has held positions in estimating, project management and contract administration. She has assisted in planning, implementing and directing construction budgets. Managing the construction schedule for contractors and subcontractors in the most effective and efficient manner to save time and complete a project within budget. Ms. Rodriguez has been responsible for the change order review, approving draw requests and documenting weekly work progress.

PROJECT MANAGEMENT EXPERIENCE

Texas Department of Transportation, Pharr, Texas
Engineer Technician IV / Document Control

US Highway 281 and US Highway 83 Interchange Construction estimated at \$24 million construction cost. Ms. Donna Rodriguez' responsibilities were to manage the project coordination specifically pertaining to the *document control, project record-keeping* and *construction administration* as well as technical experience in compiling submittals, change orders and testing data.

State of Texas Preservation Board, Austin, Texas
Project Management Coordinator

Ms. Donna Rodriguez' responsibility was to manage the project coordination specifically pertaining to the *document control, project record-keeping* and *construction administration* on the Extension and Exterior of the Capitol and the General Land Office Building in Austin, Texas. \$45 million, Capitol Exterior Restoration - \$18 million and Restoration of General Land Office Building - \$7 million.

Faulkner Construction Company; Austin, Texas
Construction Administration

Representative Projects:

- North Seton Hospital – Austin, Texas
- Valley International Airport – Harlingen, Texas
- Greyhound Race Track – Harlingen, Texas

Donna Rodriguez; Construction Manager
Prodigy Construction Management LLC





Mario Rodriguez, Attny Legal Contract Administration and Technical Support

Mr. Mario Alberto Rodriguez, J.D. is a 1989 graduate of Texas A&M University with a Bachelor of Science in Construction Science. In 1989 Mr. Rodriguez served as a Construction Project Coordinator with Fluor Daniel Construction / Engineering in Sugarland Texas after which Mr. Rodriguez then attended University of Texas School of Law, receiving his Doctor of Jurisprudence in 1992. Mr. Rodriguez is a licensed trial attorney with his own law firm, THE RODRIGUEZ LAW FIRM. Mr. Rodriguez is admitted to practice law and holds Licensures from The State Bar of Texas, United States of America United States District Court Southern District of Texas and the United States of America United States Court of Appeals for The Fifth Circuit Court.

Mr. Rodriguez is a valley resident and has been a trial attorney for over eighteen years with an emphasis in civil and construction litigation.

Mr. Rodriguez has volunteered his expertise during numerous terms and as chair for the City of McAllen Building Board of Adjustments and Appeals, as a member of the City of McAllen Airport Advisory Board where he chaired the committee to renovate the airport to meet post 9-11 security guidelines and on numerous other charitable and civic boards.

Mr. Rodriguez is bilingual and fluent in English/Spanish.

EXPERIENCE

April, 2000 to Present

The Rodriguez Law Firm – McAllen, Texas

Private Legal Practice

Provide legal review and drafting of Owner / Engineer Contracts, Owner / Design Build Contracts, Owner / Architect Contracts and rewrite of AIA documents.

The Rodriguez Law Firm is a multi practice litigation firm, with an emphasis on Construction Litigation.

Project Role:

Contracts Administrator/Project Coordinator

Education:

Doctor of Jurisprudence

University of Texas – School of Law – 1992

Bachelor of Science,
Construction Science

Texas A&M University, 1989

License

State Bar of Texas

United States Federal District Court
Southern District of Texas

United States Federal Court of
Appeals, Fifth Circuit Court

Texas Trial Lawyers Association

Years of Experience:

18+

Office:

McAllen, Texas





Sanchez Business Services Nancy P. Sanchez, Owner

Mrs. Sanchez is a native of the Rio Grande Valley and has acquired more than 22 years of combined school district business office administration, school buildings financing and construction administration experience. She managed and directed the business offices of several public entity districts and two charter school districts.

During her work experience, Mrs. Sanchez has been able to effectively utilize her experience coupled with her knowledge of Accounting, Auditing, Purchasing, Investments, Risk Management, Insurance, Maintenance, Property Tax Collections, Warehouse, and Inventory to achieve successful and well managed public school Business Offices. Her construction administration responsibilities include negotiating all A/E contracts, reviewing all change order requests, maintaining project budgets, bidding projects, reviewing and analyzing construction documentation, ensuring accuracy of applications for payment, authorizing payments to contractors, maintaining project record keeping, and preparing monthly construction reports. Mrs. Sanchez' construction administration experience encompasses public education building structures. Project Management budgets varied between \$0.7Million and \$39Million.

Mrs. Sanchez is fluent in English/Spanish.

EXPERIENCE

Public School Districts – Bond Construction

- Donna Independent School District – 6 years
- Valley View Independent School District – 11 years – \$14 Million
- Mercedes Independent School District – 2 years - \$10 Million

Charter School Districts

- IDEA Public Schools – 2 years - \$39 Million
- South Texas Educational Technologies Inc. – 1 year - \$2.5 Million

Other Entities Experience

- National Medical Care – 2 years
- Region One Education Service Center
- Gibson Fletcher & Dietz CPA Firm

Combined Construction Project Administration and Facilities Programming for over \$65.5 million dollars of new and remodeled construction projects. I was responsible for managing bond construction monies. I exercised centralized authority and control over all project management funds. Duties also included processing payments for contracts, scheduling construction update meetings, reviewing proposed change orders, and coordinated all close-out operations.

Project Role:

Financial Audit Review

Education:

- BBA – Accounting

U. T. at Pan American, 1986

Registered Tax Assessor/Collector, 1994

Registrations/Certifications:

- Life Insurance License, 2004

Professional Affiliations:

VASBO- Valley Association of School Business Officials

TAAO- Texas Association of Assessing Officers

Texas Association of School Administrators

Texas Charter School Association

Community Service:

Valley Association of School Business Officials; President 2004

McAllen Jaycees, 1994

Years of Experience:

+22

Office:

Weslaco, Texas



Staffing Levels and Responsibilities

Mr. Alex Palacios – Construction Manager / Technical Support – As a Project Manager, Mr. Palacios has extensive experience in reviewing construction management methods on behalf of the owner. Mr. Palacios' primary focus would include, but not be limited to determine if the Owner's overall objectives were met and audit the Construction Management policies utilized to manage to the desired outcome. The analysis will provide an Audit of the overall master Project Scope Schedule including the phasing, sequencing and packaging of design, consulting, equipment or construction contracts to determine if the work met the capacity of the design and construction performance as well as an audit of the overall Project Scope Budget including both soft and hard costs. The analysis will evaluate Procurement techniques and forms of contract agreements that were utilized for the delivery of the Project Scope and its integration of Construction Manager services with other related services including design services, FF&E procurement and installation, operations & maintenance, technology design and installation, etc.

Ms. Donna Rodriguez – Construction Manager / Document Controls – As a Project Document Controls Specialist, Ms. Rodriguez has worked to establish and implement a Construction Manager information and control system for expediting and processing requests for information, shop drawings, material, equipment, and sample submittals. Her primary focus would include but not be limited to auditing contract adjustments, change orders, payment requests and the maintenance of logs. Ms. Rodriguez will develop and implement an effective system to assist owner in the identification of these costs. In developing and implementing this system, Prodigy Ms. Rodriguez will analyze budget information on related soft and hard costs including design costs, construction costs and other related costs, identify adjustments and against Prodigy CM Construction Manager's computerized cost reporting system. Cost reports will analyze budget adjustments made after approval of the initial Conceptual "Project Scope" Budget which were and were not approved by the Owner. Ms. Rodriguez will record documentation of such changes and related funds.

Mr. Mario Rodriguez – In house Legal Counsel / Construction Manager – Mr. Rodriguez, as a licensed attorney focuses on the legal review of construction documentation, contract documents and associated general conditions, special conditions and other related documents utilized to achieve the "Project Scope". Mr. Rodriguez emphasis on the Texas Southmost College District projects will be to identify the Design Consultant / General Contractor / Construction Manager contractual language to determine their effect on the overall project results. Mr. Rodriguez will review Design Consultant applications for payment and/or claims for additional services and provide an analysis of effect to the Owner. Mr. Rodriguez will determine if all records, certificates, guarantees, warranties and releases have been received.

Ms. Nancy Sanchez – Accountant / Auditor – Ms. Sanchez has extensive experience conducting financial audits of school construction projects. Ms. Sanchez will analyze all funding on the referenced projects, including but not limited to an analysis of the Design Consultant's submittal and process payment applications to the Owner as well as the payment process for compliance with the contract documents. Ms. Sanchez will issue financial status reports and analysis of costs of completion, change order summary reports and potential claims analysis.

Project Reference

Hidalgo County Sheriff's Sub Station



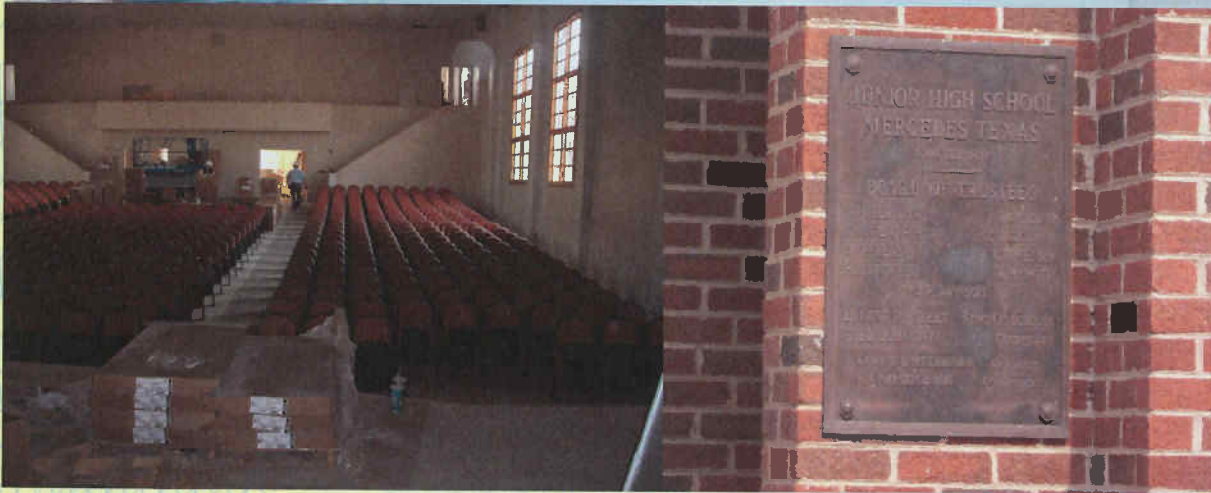
Prodigy Construction Management L.L.C. has been designated the number one ranked firm to provide Construction Management Services to the County of Hidalgo. Prodigy CM has been assigned the responsibility of managing the project team of architects, engineers, and other specialty consultants for the new Sheriff's Substation to be located in Weslaco Texas. Prodigy CM has begun its collaboration with the project team design analysis as per the requirements of the Texas Commission of Jail Standards and evaluation of alternatives as required to complete the project within budget and on schedule.

In the project management role, Prodigy CM will manage the owner's design consultants, prime contractor(s), specialty vendors, and provide the owner with a single, comprehensive status of all construction contracts related to the project. Our experience in managing subcontractors in all trades serves to support our understanding from the perspective of the contractor when overseeing the development of the final design documents and managing contractors during the construction phase. As part of our services, we provide support for owners in the areas of cost estimating, constructibility reviews, scheduling, and claims consulting, if necessary.

Project Reference

Mercedes ISD Graham Auditorium Renovation and Restoration

Mercedes, TX

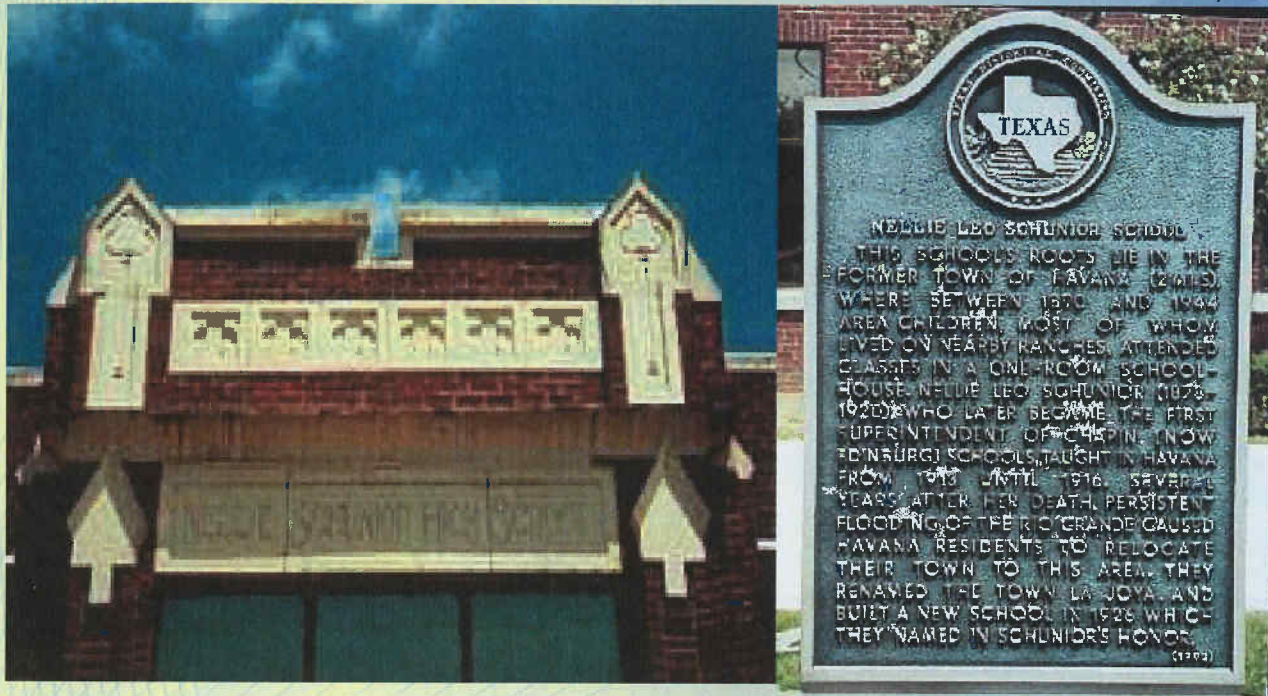


The Mercedes ISD Auditorium renovation and restoration project is currently under construction. This unique and one-story auditorium building was originally built in the 1926. As the construction management team for the Mercedes School District, Prodigy Construction Management's duties include but are not limited to the coordination of all local, state and federal codes. Review and evaluate all pay applications pertaining to both architect and general contractor and third party consultants. Manage the owner's construction budget of \$1,800,000.00 and approximately 9,000Sq Ft. Our responsibility is to preserve and maintain its original 570 seating auditorium. Our coordination project management efforts included two new dressing rooms, the supervision of the installation of all of the interior of the main stage and lighting, mechanical air-conditioning systems, electrical systems, audio system, and new curtain control operators. Prodigy CM conducts bi-weekly job site construction meeting to evaluate the general and subcontractor work performance. Substantial and final of O&M manuals to the owner will be coordinated with Prodigy CM final evaluation of close-out documents.

Project Reference

La Joya ISD Nellie Schunior Auditorium Restoration and Renovation

La Joya, TX



Nellie Schunior Renovation-Phase II includes the restoration of the first and second floor of the original 1927 building. The new and remodeling construction site will include new meeting rooms, offices, auditorium, lounge and restrooms. Prodigy CM will coordinate with the consultants that all local, state, and federal codes are in compliance. Additionally, we will manage and oversee the lucrative landscape which will include decorative water fountain, two new ponds and brick paved sidewalks. Prodigy Construction Management will oversee an estimated 15,000sq. ft of renovation and new construction with an estimated \$5.8 million construction budget. Prodigy CM will verify and oversee the architect/ engineers/ and general contractor's pay applications for payment reviews with the owner. PCM will conduct weekly job construction site meeting to evaluate the general and subcontractor performance on the site. Substantial and final of O&M manuals to the owner will be coordinated with Prodigy CM final evaluation of close-out documents.

REFERENCES

Hon. Mr. Joseph Palacios

County Commissioner, Precinct 4
Hidalgo County
1051 N. Doolittle Rd.
Edinburg, TX 78542
Ph: (956) 383-3112

Dr. Dan Trevino, Superintendent

Mercedes Independent School District
206 East 6th Street
Mercedes, Texas 78570
(956) 454-2640

Mr. Arnold Canche

Chief Financial Officer
Weslaco Independent School District
312 West 5th Street
Weslaco, Texas 78596
(956) 969-6585

PROJECT EXECUTION

EXECUTIVE SUMMARY

The overall objective of the PRODIGY Construction Management Audit Program is to determine the degree of financial protection which was afforded to our clients, by executing the following six point audit:

- * **LEGAL REVIEW – Legal contract review of all Architectural and General Contractor contracts.**
- * **PRECONSTRUCTION SERVICES – Project Management Implementation Plan Review.**
- * **PRE-DESIGN AND DESIGN PHASE SERVICES – Audit design phase work.**
- * **PROCUREMENT PHASE SERVICES – Audit procurement with TSC.**
- * **CONSTRUCTION PHASE SERVICES – Review and Analyze all construction activities.**
- * **CLOSE OUT PHASE SERVICES – Audit all close out documentation.**

LEGAL REVIEW

PRODIGY Construction Management L.L.C. maintains in-house legal counsel which shall provide detailed legal review of the AIA contract, General Contractor contract, Bids and Specifications. The legal review is intended to inform the owner of the allocation of control of contingencies, allowances, betterments, change orders, multipliers, liquidated damages, consultant fees, printing, closing documentation, ownership of intellectual property, establish if fees were based on actual construction costs, warranty protection, code compliance and applicable field application of contractual terms.

PRECONSTRUCTION SERVICES

PRODIGY Construction Management L.L.C. shall provide auditing services that relate to the organization and development of the project prior to the start of construction including the following:

Plan Implementation: PRODIGY Construction Management L.L.C. will review the comprehensive Project Management Implementation Plan. The Implementation Plan should include the
*Identification of the TSC's overall objectives
*Policies necessary to manage to the desired outcome
*Overall Master Program Schedule including the phasing, sequencing and packaging of design, consulting, equipment or construction contracts to determine if the work met the capacity of the design and construction community.
*Overall Program Budget including both soft and hard costs.
*Procurement techniques and forms of contract agreement that were utilized for the delivery of the

Program. *Program Organization Chart including integration of Project Management services with other related services including design services, FF&E procurement and installation, operations & maintenance, technology design and installation, etc.

hard costs. *Procurement techniques and forms of contract agreement that can be utilized for the delivery of the Program. *Program Organization Chart including integration of Project Management services with other related services including design services, FF&E procurement and installation, operations & maintenance, technology design and installation, etc.

Management Procedures: PRODIGY Construction Management L.L.C. will review Project Management Procedures that
*Established communication among the program participants.
*Describe roles and responsibilities for all of the key players in the program participants.
*Presented administrative procedures for pre-design, design, procurement, construction and post construction services.

Plan Review: Costs Savings and Contractibility: Provide plan review and constructability audit with an emphasis on ensuring that the project was completed within the established schedule and within the available budget. Provide a detailed analysis of all major project systems with an emphasis on cost savings.

Master Budgeting and Scheduling: Audit master budgeting and scheduling services including the project revenues and expenditures based upon traditional project milestones.

Information Controls: PRODIGY shall determine if a Project management information and control system for expediting and processing requests for information was established related to shop drawings, material, equipment, and sample submittals, contract adjustments; change orders, payment requests and the maintenance of logs.

Program Budgeting and Cost Management: PRODIGY project management will evaluate the Budget based on all sources of funding, and will review all program and project expenses. PRODIGY shall collect budget information for the Program related soft and hard costs including design costs, construction costs and other related costs; Any budget adjustments made after approval of the initial Conceptual Program Budget will be audited and PRODIGY shall record documentation of the change, and transfer of funds.

Master Program Schedule: PRODIGY shall review the overall "Master Program Schedule" showing duration and precedence for major design, bidding, construction and occupancy activities; establishing the overall duration of the Program and identifying those activities that were most critical.

Commissioning Services: *Review Contractor's building Commissioning and turnover plan. Review the results of the HVAC Test and Balance for compliance with construction contract requirements. *Audit all certification documentation and submittals proper agencies on behalf of TSC.

Agency Approvals: PRODIGY will review whether the Design Consultant in scheduled necessary plan reviews and obtained required permits and approvals.

PROCUREMENT PHASE SERVICES

PRODIGY Construction Management L.L.C. shall assist the TSC in the coordination of pre-bid services that continue through contract negotiations with responsive bidders including the following services:

Market Program/Project to the Bidders: PRODIGY will review the Program/projects to the bidders established by the Design Consultant. PRODIGY's efforts will be coordinated with the TSC's procurement practices.

Responses to Bidder Inquiries: Provide coordination of and, when possible, responses to bidder inquiries.

Procurement Management: Bidding & Awarding of Construction Contracts with Board Approval. PRODIGY will review the bidding and awarding process established by TSC and the Design Consultant for each contract.

Contractual Language Review: PRODIGY will advise TSC staff with language for inclusion within bid and contract documents for the services for approval and acceptance.

Change Order Review: PRODIGY will review Design Consultant's bid summaries and make recommendations to TSC's Evaluation Committee. Project Management will review the contract of each successful bidder. Project Management will review appropriate contract terms and conditions such as contractor mark-ups on change orders, contingencies, allowances, contractor general conditions and liquidated damages in the contract documents.

Responsive Bidder Negotiation: PRODIGY will review the TSC negotiation of contract agreements between TSC and the responsive and responsible bidders.

NOA's and NTP's: Prodigy will review and Audit each Issue Notices of Award (NOA) and Notices to Proceed (NTP) on behalf of TSC.

CONSTRUCTION PHASE SERVICES

PRODIGY Construction Management L.L.C. shall review documentation of all construction field activities, coordination of flow of information between all entities, and evaluate the following:

Agency Interface

Evaluate Monthly Billing Procedures

Pre-Construction Conference

Review Project Record Documents

Review Document Control

Change Order Review Procedures

Contractor Claims: Evaluate and mitigate all claims for additional cost or time due to any alleged cause.

Insurance Certificates: Monitor Prime Contractor insurance certificates for coverages, endorsements, limits, and expiration dates.

Coordinate Requests of Information: PRODIGY will evaluate requests for clarification of contract documents from the Contractor(s) with the design Consultant. Project Management will review status of requests in a regular or special progress meeting in an effort to monitor timely responses from the Design Consultant.

Audit Change Order System and Procedure: Determine when changes in the work became necessary due to request of TSC, request of the Contractor, or design document issue, Prodigy review the Design Consultants efforts to coordinate the preparation of TSC approved change order documents, log the proposed change in the control log and transmit to the Contractor for response.

Processing of Contractor's Shop Drawings & Submittals: PRODIGY will review schedules prepared by the Contractor for required submittals of shop drawings and samples for approval by Architect, as well as other members of the design Consultant and TSC.

CLOSE OUT PHASE SERVICES

PRODIGY Construction Management L.L.C. will evaluate substantial completion, establish punch list review, ensure that close-out documents are finalized and ensure that warranty work is timely completed. Such goals are attained applying the following:

Determine Final Completion of the Project:

PRODIGY will determine, in conjunction with the Design Consultant and TSC, final completion of the project. In the event any of the items listed above have not been submitted, PRODIGY will assist TSC in obtaining completed items from the appropriate parties. PRODIGY will monitor the final process for compliance with contract documents.

Operations & Maintenance Manuals: PRODIGY will work with TSC to ensure that the Contractor's delivery of operations manuals and warranties were provided to TSC in a timely manner.

Plan for Correction of Defective Items: PRODIGY will assist TSC to develop a plan to facilitate the correction of defective items that require repair or replacement.

Transfer of Final Record Set of Documents: PRODIGY will monitor Contractor's preparation of record drawings and specifications and coordinate and expedite the transmittal of the record documents to TSC.

Final Lien Releases: Verify requirements in the Construction Documents, Applicable Codes, Rules and Regulations.

PRODIGY CONSTRUCTION MANAGEMENT L.L.C. understands that the successful planning, construction, location, and use of buildings is determined, in part, by the successful implementation of the applicable Codes, Rules and Regulations. These Codes, Rules and Regulations are instituted by a variety of laws enacted by local, state, and federal agencies and governments. These statutes and ordinances include zoning, building, plumbing, electrical, and mechanical codes that are intended to protect the health, safety, and general welfare of the public. These codes incorporate many recognized construction industry standards but they do not necessarily contain criteria that ensure efficient, convenient, or adequately equipped buildings.

RODIGY CONSTRUCTION MANAGEMENT L.L.C. is committed to the strict adherence of all departmental policies of the TSC related to the construction and renovation of its facilities, buildings, roadwork and infrastructure. PRODIGY CM maintains familiarity with the codifications which may be applicable to the project at hand including, but not limited to:

- *All departmental policies of the TSC
- *Occupational Safety and Health Code (OSHA)
- *International Building Code 2009 (IBC 2009)
- *International Building Code 2006 (IBC 2006) (when applicable)
- *International Building Code 2003 (IBC 2003) (when applicable)
- *Texas Department of Health Services Code (TDHC)
- *International Fire Code (IFC)
- *Texas Commission on Environmental Quality (TECQ), formerly known as the TNRCC
- *Americans with a Disability Act (ADA)
- *ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)
- *National Electrical Code (NEC)

- *Texas Accessibility Standards (TAS)
- *International Code Counsel (ICC Codes)
- * International Energy Conservation Code (IECC)
- * American Society of Heating Refrigerating and Air-conditioning Engineers (ASHRAE)
- * American Society of Mechanical Engineers (ASME)
- *American National Standards Institute (ANSI)
- *Texas Boiler Safety Law
- *Municipal / Local / State / Federal codes.
- *TxDot 2004 Specifications Guide and other necessary documentation.

Comparative Project Savings

	Project	Bidders	Contract Amount	Project Cost With C.O.	Final Payment/ Paid to Date
1	Central Middle School Phase I	6	\$6,900,006.00	\$6,815,006.00	\$6,815,006.00
2	Central Middle School Phase II	4	\$9,367,821.00	\$9,352,184.85	\$9,022,544.51
3	Central Middle School Fine Arts	5	\$7,022,975.00	\$7,022,975.00	\$6,986,567.53
4	Roosevelt Kitchen Renovations	4	\$999,850.00	\$1,010,656.00	\$945,223.20
5	Roosevelt Additions and Renovations	4	\$4,617,000.00	\$4,778,707.00	\$4,739,932.00
6	Roosevelt Parking Lot Improvement		\$64,343.55	\$64,343.55	\$64,343.55
7	Mary Hoge Gym Floor Replacement	3	\$190,943.00	\$190,943.00	\$164,828.70
8	WEHS & WHS Weight Rooms	10	\$973,000.00	\$973,000.00	\$900,022.55
9	Mile 10N Lift Station	5	\$444,406.00	\$444,406.00	\$394,790.40
10	Bobby Lackey Gym Floor		\$86,400.00	\$86,400.00	\$86,400.00
11	Cafeteria Grease Traps	4	\$195,000.00	\$195,000.00	\$185,000.00
12	Horton AEP Parking Lot	4	\$23,950.00	\$23,950.00	\$23,950.00
13	Cuellar Waterline Replacement		\$236,145.00	\$263,288.00	\$263,288.00
14	Cuellar Roofing Project	4	\$195,125.00	\$194,562.00	\$194,562.00
15	Cuellar Cafeteria Paving	3	\$15,876.00	\$15,876.00	\$15,876.00
16	Cuellar Additions and Renovations	10	\$10,450,000.00	\$10,497,308.00	\$10,442,464.80
17	Parking Lot & Drainage At Bobby Lackey Stadium	7	\$244,817.00	\$234,842.25	\$234,842.25
18	Bobby Lackey Stadium/Press Box Additions and Renovations	4	\$4,671,192.00	\$7,582,583.99	\$7,582,583.99
19	Parking Lot Bobby Lackey Stadium-Phase II	6	\$272,453.75	\$272,453.75	\$261,453.75
20	Science Room Additions				
	High School	3	\$2,264,217.00	\$2,264,217.00	
	East High School	3	\$2,146,000.00	\$2,146,000.00	\$2,075,451.70
	Mary Hoge Middle School	2	\$1,632,000.00	\$1,548,369.65	\$2,044,861.00
	B. Garza Middle School	4	\$1,580,000.00	\$1,580,000.00	\$1,548,369.65
21	Mario Ybarra Elementary	6	\$9,584,000.00	\$9,705,082.00	\$1,529,603.00
22	New Elementary Water Line Off Site Improvements	14	\$34,444.44	\$41,044.40	\$9,705,082.00
23	Fire Protection and Sewer Line Mile 10	6	\$444,406.00	\$422,633.00	\$41,044.44
24	Liner Detention Ditch	9	\$9,902.35	\$9,902.35	\$422,633.00
25	New Aquatic Center	5	\$6,021,600.00	\$5,863,505.00	\$9,902.55
26	Mary Hoge Gym Reroofing	5	\$190,940.00	\$190,940.00	\$5,863,505.00
27	Sam Houston Elementary	8	\$9,159,000.00	\$9,159,000.00	\$164,828.70
28	Cleckler Parking Improvement	5	\$211,692.50	\$211,692.50	\$363,532.63
29	Rico Parking Improvement	13	\$148,849.49	\$148,890.49	\$184,412.25
30	Parking at Michigan Ave. & 6th	TBA	Est.\$300,000.00		\$45,826.02
31	WEHS Field House	TBA	Est.\$1,650,000.00		
32	WHS New Band Hall	TBA	Est.\$3,500,000.00		
			\$85,848,355.08	\$83,309,761.78	\$73,322,731.17

Project Reference

Texas State Capitol – Extension and Renovations of the Exterior

Austin, Texas



The Texas Capitol is an extraordinary example of late 19th century public architecture and is widely recognized as one of the nation's most distinguished state capitol. In 1990, work began on the Capitol Extension, an underground building designed to provide the Capitol with much needed additional space without sacrificing its historical integrity. In 1991, work began on the exterior restoration of the Capitol. Scaffolding was erected over the entire building and repairs were made to the metal dome and roof, granite, mortar and architectural detailing. This work was completed in 1994. In 1993, the \$75 million underground Capitol Extension was completed to the north, doubling the square footage available to Capitol occupants and providing much improved functionality.

Ms. Donna Rodriguez' responsibility was to manage the project coordination specifically pertaining to the *document control*, *project record-keeping* and *construction administration* on the Extension and Exterior of the Capitol and the General Land Office Building in Austin, Texas.

Start Date: February 1, 1990

Completion: December 1, 1994

sq. ft.: 667,000

Cost: \$75 million

Reference: David Stauch-Construction Manager 512-472-4600

Project Reference

Weslaco ISD Performing Arts Center

Weslaco, Tx



The Weslaco ISD Fine Arts Facility was recently remodeled in 2010. This unique and one of a kind theater arts building was originally built in the 1950's. The stout wooden lamella roof structure was used as the first ever Weslaco School District High School Auditorium. As the Project Construction Administrator for the district, the building underwent a 31,856 Sq. Ft renovation at a cost of \$7,022,925.00. Our responsibility was to preserve and maintain its original 1,200 seating auditorium. Our duties included the coordination of all local, state and federal codes. Review and evaluate all pay applications pertaining to both architect and general contractor and third party consultants. Coordination project management efforts included the supervision of the installation of all of the interior electronically main stage lighting, movie theater automatic roll-down screen TV, theatrical lighting and controls, mechanical chilled water system, electrical systems, audio system, and 12 motorized curtain control operators. At the owner's request, we also assured the protection of the exterior façade of a beautiful courtyard that housed preserving a 100-year old oak tree.

Project Reference

US Highway 281 and Expressway 83 Interchange

Pharr, Texas



The US 281/US 83 interchange project was intended to improve mobility along the south most section of US 281. The project had three main goals (1) To connect US 83 East - West Traffic with North Bound US 281 Traffic, (2) To convert current access on US 281 into one-way frontage roads, and (3) To improve traffic flow and safety operations at this interchange. The project included the construction of four "one lane" ramps, two North, one East and one West that would overpass the intersection of US 281 Frontage and US 83 Frontage. These ramps would diverge from the existing lanes, overpass the frontage interchange and then merge with the existing lanes once beyond the intersection. The two directions of traffic on the southbound US 281 overpass were separated by a traffic barrier and necessary shoulders were constructed. The grade separation was constructed between the existing lanes of traffic leaving the existing at-grade intersection in place.

Ms. Donna Rodriguez' responsibilities were to manage the project coordination specifically pertaining to the *document control, project record-keeping* and *construction administration* as well as technical experience in compiling submittals, change orders and testing data.

Start Date: June 1, 1992

Completion: June 1994

Cost: \$24 million

Reference: Mario Jorge, P.E. Pharr District Engineer 956-701-6100

Project Reference

US Border Patrol - Detention Station

Harlingen, Texas



The Facility is a 53, 075 sq. ft of office building and processing center that was built in Harlingen, Texas. As the project engineer and project management for the technical aspects of the mechanical, electrical and plumbing (MEP) engineering design, sensitive safety and security clearances were held paramount while constructing the project. Unique features of the project included the project management of the following integrated buildings as they related to the MEP:

340 TONS OF CHILLER DESIGN•PARKING-TOTAL 464 SPACES ON SITE•320- FOOT ANTENNA TOWER•AIR-CONDITIONED DOG KENNEL(S)•VEHICLE MAINTENANCE BUILDING-EXHAUST SYSTEMS•CAR WASH- HIGH PRESSURE DESIGN FEATURES•CONCRETE HELICOPTER PAD WITH FAA ELECTRICAL LIGHTING AND CONTROLS•DETENTION CELLS FOR MEN, WOMEN AND CHILDREN.

Additional responsibilities included MEP- document controls, submittal review and verifications, installation according to plans and specifications, change order reviews, as-built drawings, coordination of all meetings, HVAC test & balance reports and furnish technical weekly construction progress reports.

*DUE TO GOVERNMENTAL FEDERAL GUIDELINES, ADDITIONAL SPECIFIC DETAILS OF THE PROJECT MAY NOT BE DISCLOSED WITHOUT WRITTEN CONSENT OF THE US FEDERAL GOVERNMENT.

Project Reference

Central Middle School New Construction – Phase I & II

Weslaco, Texas



The Central Middle School divided into Phase I and Phase II Projects were planned and constructed back to back due to the student classrooms, administrative and district wide curriculum needs. These projects were unique in nature but fast paced to be completed. Duties and responsibilities was the 100% construction administration of architect/contractor selections, method of construction, acquisition, contract negotiations, project coordination, coordinate and approve construction documents, printing, project budget, scheduling, change order reviews, develop project program, surveys, municipal code compliance, daily project inspections, weekly reports, contractor/sub-contractor meetings and close-out documents.

Start Date: February 2006 and November 2007

Completion: March 2009

Total combined sq. ft.: 180,000

Cost: Phase I- \$6.8million and Phase II - \$9.3million = Total 16.1 million

Reference: Mr. Arnold Canche; Chief Financial Officer- 956 - 969-6585

Project Reference

Dr. Armando Cuellar New Middle School

Weslaco, Texas



This project included the demolition of an existing campus and the construction of a new State of the Art facility. This new middle school has approximately 80,000 sq. ft. of student classroom space, athletics, kitchen, cafeteria, and new library area. It accommodates grade levels between 6th thru 8th grade students. Duties and responsibilities included 100% construction administration and management of architect/contractor selections, method of construction, acquisition, contract negotiations, project coordination, coordinate and approve construction documents, printing, project budget, scheduling, change order reviews, develop project program, surveys, municipal code compliance, daily project inspections, weekly reports, contractor/ sub-contractor meetings and close-out documents.

Start Date: December 2008

Completion: January 2010

Total sq. ft.: 80,000

Cost: \$10.4 Million

Reference: Mr. Arnold Canche; Chief Financial Officer- 956 - 969-6585

Project Reference

Ben Bolt – Palito Blanco Independent School District

Ben Bolt, Texas



This new construction project consists of a new library, physical education building and a new fine arts building. In accordance with grant requirements, the existing science classrooms were expanded to comply with TEA requirements. Ben Bolt ISD secured our services to provide the following: contract negotiations, contract reviews, project time lines, budget allocations, AIA contract reviews, develop AIA consultant criteria, approve construction documents, establish project budget, scheduling, and county, state and municipal local code compliance.

Start Date:	December 2010
Completion:	November 2011
Estimated Sq.FT.:	25,000
Cost:	\$3.0 Million
Reference:	Dr. Grace Everett; Superintendent



BEN BOLT-PALITO BLANCO
INDEPENDENT SCHOOL DISTRICT

Dr. Grace Everett, Superintendent

**P.O. Box 547
172 Badger Lane
Ben Bolt, Texas 78342
(361) 664-9904
Fax (361) 668-0446**

To: Mr. Alex Palacios; Prodigy Construction Management LLC
From: Dr. Grace Everett, Superintendent of Schools
Re: Letter of Recommendation
Date: September 8, 2010

I wanted to thank you very much for agreeing to work with me in organizing and implementing a plan to follow to get the process going for building a physical fitness and fine arts center and a middle school library for Ben Bolt-Palito Blanco I.S.D. As you well know, this is my first tour of superintendent duty. I have learned much the last three years and feel confident managing the district and working on all of the areas that pertain to student success, but I was truly lacking in the area of bonds, architectural contracts, and procedures for getting a good job done when building facilities. The information you provided me has helped me tremendously in dealing with the architectural firm and the board in areas having to do with the project. The contract with Milnet Architectural Services was signed at the meeting last night and all of your work, and the work we did together analyzing and negotiating the contract, really paid off for the school district and the community. I could not have done all of this without your expertise and your commitment to our school district.

If you ever need a letter of recommendation, just let me know. I would state to anyone considering hiring you that you are organized, efficient, extremely competent, and always present yourself in a very professional manner to school personnel as well as others. You, as is obvious, are also committed to completing each job successfully and you take pride in your accomplishments. I would feel very confident recommending you to any school district or firm.

Thank you, again, for all your hard work and dedication to our district. I wish you the best of luck in the future. Keep up the great work.

Sincerely,

Dr. Grace Everett

PREPARED FOR
TEXAS SOUTHMOST COLLEGE DISTRICT

Construction Management Services

Response to Request for Qualifications

CONSTRUCTION MANAGEMENT CONSULTING SERVICES
(RFQ No. TSC RFQ11-14)



Brownsville, Texas

May 25, 2011



Spire Consulting Group, LLC

Norwood Tower | 114 West 7th Street, Suite 600 | Austin, Texas 78701 | Tel: 512.637.0845 | Fax: 512.637.0846
www.SpireConsultingGroup.com



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July 2011

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Section 5

2011 - Statement of Interest

Part One – Statement of Interest

The following information is provided for the purpose of the Statement of Interest. It is intended to provide a clear and concise summary of the information required for the Statement of Interest. The information is presented in a clear and concise manner, and is intended to provide a clear and concise summary of the information required for the Statement of Interest.

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2.1 Statement of Interest

May 25, 2011

Patricia G. Sanchez
Senior Buyer
Texas Southmost College District
Gorgas Tower
80 Fort Brown
Brownsville, Texas 78520

RE: Statement of Interest – Request for Qualifications for Construction Management Consulting Services (RFQ No.: TSC RFQ11-14)

Ms. Sanchez,

Spire Consulting Group wishes to express its interest in pursuing a Construction Management Consulting Services agreement with the Texas Southmost College District. Spire Consulting Group exists to solve and simplify complex problems to help our clients build things with peace of mind. A multi-disciplined construction management and engineering consulting firm, Spire serves a variety of industries and project types worldwide. Our construction management consultants possess the engineering and construction experience to provide real-world, cost-effective solutions to the challenges faced by our owners and architects throughout the design and construction process.

Based on our review of the Construction Management Consulting Services scope of work, we are confident Spire's team of programming and project management professionals will be a valuable asset to your projects. We are capable of performing all of the services listed in the scope of work.

Should you have questions, please do not hesitate to contact me at my office (512) 637-0845. We appreciate your consideration and look forward to discussing this opportunity with you further.

Best regards,

A handwritten signature in blue ink, appearing to read "Anthony Gonzales".

Anthony Gonzales
Principal



Statement of Qualifications

Spire Consulting Group is a certified Minority-Owned Business Enterprise (MBE) and Historically Underutilized Business (HUB) program and construction management firm providing owners, contractors, architects, attorneys, sureties and other construction professionals the support they need to deliver their projects on time and within budget. With offices throughout the country and a broad range of construction expertise Spire is equipped to develop and execute innovative solutions for the most complex problems.

Spire's engineering and construction consultants have extensive, hands-on experience supporting a multitude of projects worldwide. Spire's consultants provide services based on key principles including realistic planning, intelligent execution, and continuous risk mitigation to ensure the project's success. Our program and project management consulting areas of expertise include:

Construction Consulting Services

- Contract Review & Negotiations
- Change Order Analysis
- Construction Design Reviews
- Budget Development
- Bid Phase Management
- Cost Estimating & Evaluations
- Construction CPM Scheduling
- Productivity Analysis
- Value Engineering
- Earned Value Management
- Project Control Systems
- Process & Procedure Assessments
- Dispute Avoidance & Resolution
- Inspection & Quality Assurance
- Construction & Project Training
- Claims Identification
- Risk Assessment & Evaluation
- Standards of Care
- Schedule Delay Analysis
- Claim Preparation & Presentation
- Litigation & Arbitration Support
- Project Due Diligence

Representative Project Experience

Spire serves a wide range of clients across several industries and has extensive experience serving owners and architects on a variety of projects including, but not limited to, academic facilities, health care facilities, performance centers and athletic facilities. Spire's team is comprised of experienced consultants having worked on the following representative sample of related projects:

- UT M.D. Anderson Basic Research and Education Building
- Disney Concert Hall
- Frank Erwin Center Renovation
- Texas A&M Health Science Center
- Texas State University Stadium Renovation & Expansion
- The New Reid Hospital
- Ponderosa Residential Development Project
- Broward County Libraries

Texas A&M Health Science Center



Project Value: \$128 Million
College Station, Texas

The New Reid Hospital



Project Value: \$300 Million
Richmond, Indiana

Contract, Change Order & Claims Management Project



SANTOS CMI
Quito, Ecuador



Unique Qualifications

The Spire team is truly excited about the opportunity to participate in such an important and valuable process. Our team is the right choice for the University of Houston's Project Delivery Process procedure for a number of reasons, including:

1. **Project Controls & Process Development is our Primary Business** – As construction engineering consultants, we focus on effectively developing and managing control systems and processes for projects within any stage of its lifecycle. We are not a general contractor, architecture or engineering firm so we do not run the risk of potential conflicts of interest or dilution of skill sets. Our single business line allows us to focus solely on doing one thing well: providing professional construction engineering consulting services to mitigate risk and prevent costly litigation.

2. **The Right Leadership Team** – While Spire's experience is of critical importance, the success of the project team will largely depend on the individuals that will support the project on a day-to-day basis. Our Business Process Engineering team is led by Anthony Gonzales (Principal), John Wolf (Vice President) and Dana Fetrow (Managing Consultant). **Mr. Gonzales** has numerous years of experience providing effective construction processes and project control systems for contractors, engineers, owners, developers and financial institutions. He is currently a Lecturer at The University of Texas at Austin, Civil, Architectural and Environmental Engineering Department and has been recognized by Engineering News Record (ENR) Magazine as a "Top 20 Under 40 A/E/C Professional" and a leader within the industry. **Mr. Wolf** has over 20 years of construction and program controls experience involving projects up to \$500 million. He has over 15 years of experience analyzing client control systems, processes, and procedures and implementing effective solutions. **Mr. Fetrow** has a broad background in construction management and has actively managed Business Process Engineering teams for large and varied clients in government, retail, and commercial industry sectors, including Fortune 500 companies. He is an accomplished speaker at seminars and conferences around the world.



3. **We Know the Construction Process for Educational Facilities** – Our staff includes experienced control systems analysts, accountants, auditors, program managers, cost estimators, project schedulers, MEP specialists, and project superintendents whom have worked in and around higher education facilities for a combined 100+ years. We have the knowledge and experience necessary to analyze and document existing practices, develop solutions and implement those solutions with a focus on the customer. Our team of analysts have audited and analyzed numerous educational facilities in Texas, California, Nevada, Washington, Colorado, Maryland and New York. This includes other university systems in Texas such as Texas State University, The University of Texas and Texas A&M University.

4. **Reliable MBE Team with Experience on “Mega Projects”** – Spire is a certified Minority Business Enterprise (“MBE”), and a Historically Underutilized Business (“HUB”). Our portfolio of expertise includes a variety of large and complex projects, including projects specific to the Project Delivery Process. Having advised clients on over \$30 Billion in construction, Spire's engineering and construction consultants have extensive, hands-on experience supporting a multitude of projects worldwide. With the experience gained from these assignments, we recognize the importance of quickly identifying process issues, developing solutions and implementing them as quickly as possible. Spire and its consultants have been involved in projects such as the City of Los Angeles/Expo Construction Rail Authority process audit, NASA Campus Risk Assessment, Advanced Micro Devices (AMD) Campus Development, Texas A&M Health Science Center value engineering and cost evaluation process, Santos CMI contract, change order and claims management processes, and the New Reid Hospital construction and project closeout processes.

5. **Preventing Costly Claims Disputes & Litigation** – Projects can suffer from lingering claim disputes when mismanaged or when the wrong processes are in place. These are preventable when procedures, polices and processes are set correctly. Because Spire is one of the leading construction claims consultants in the world, our team leaders intuitively know how to develop and oversee the right processes to navigate around expensive claim situations. In its claims consulting practice, Spire's consultants have helped to resolve more than 500 claims and dispute related matters. This experience is a key reason why owners turn to Spire to develop and manage their most critical construction programs.



6. **Strategic Partnership** – Spire Consulting Group can provide all services described within the Scope of Work with our personnel. Should additional services/resources be required, Spire has a contractual relationship with Critigen (formerly CH2M Hill controls group) to provide technical and personnel support as needed. Critigen is an international construction management group specializing in project controls related work. They have thousands of employees around the world and a huge wealth of project experience.

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Part Two – Prime Firm

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2.2 Prime Firm

Spire's executive team is comprised of exceptional individuals who possess decades of experience within the construction, engineering and architecture fields. Their diverse backgrounds allow Spire to offer its clients a unique perspective on the issues facing construction management professionals in this rapidly evolving industry. Below is a brief overview of Spire's executive team and their roles in the company.

Anthony Gonzales – Principal

As principal of Spire Consulting Group, Mr. Gonzales is involved in all aspects of the company. He monitors and oversees projects as well as manages the day to day operations of the company. His responsibilities include managing and performing proactive construction and program management consulting services, and analyzing, developing and preparing project control and risk monitoring systems. Mr. Gonzales assists clients by evaluating project planning, costs, schedules, quality, construction-related claims, and quantification of damages involving schedule delay and acceleration, productivity loss, late and/or excessive changes, deficient drawings and specifications, defects and differing site conditions.

John Wolf – Vice President

Mr. Wolf currently serves as the vice president of Spire Consulting Group. Mr. Wolf relies upon his knowledge and 20 years of experience within the construction industry to provide guidance and insight to assist Spire's team of consultants throughout the entire project. His responsibilities include providing project control implementation and/or best practices reviews, and performing proactive construction and program management services.

Keith Thatcher – Chief Financial Officer

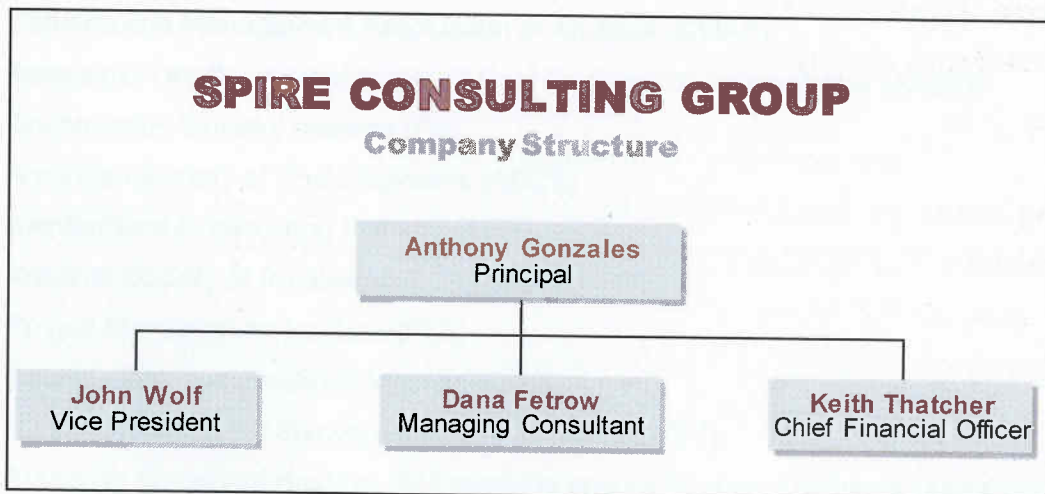
Mr. Thatcher oversees and manages all financial activities for Spire. He also evaluates financial and construction dispute matters, bond claims, construction damages, project claims, project costing, construction accounting systems, business devastation claims, fraudulent transfers and financial reporting and disclosure for contractors.



Dana Fetrow – Managing Consultant

Dana Fetrow manages and performs proactive construction and program management consulting services for owners, contractors, and subcontractors. Mr. Fetrow prepares and evaluates project plans, costs and schedules to assist clients in mitigating risk associated with large construction projects. Mr. Fetrow's diverse engineering and consulting background includes construction cost and risk evaluation, schedule preparation and analysis, structural design and construction management. Mr. Fetrow's current duties also include the analysis, development, and preparation of claims for clients' positions in mediation, arbitration and litigation.

Spire operates under a horizontal management structure which fosters open communication and allows each executive team member to express their unique perspective. The graphic representation below clearly demonstrates the lines of authority and communication for the executive team members.





The following is a representative listing of our senior technical consultants' educational and professional accreditation and affiliations that make our firm a unique and valuable resource to clients facing complex commercial and technical challenges.

Representative Professional Education and Accreditation

- Doctor of Philosophy in Civil Engineering
- Master of Arts in Architecture
- Master of Science in Civil Engineering
- Master of Business Administration
- Bachelor of Arts in Architectural Engineering
- Bachelor of Science in Civil Engineering
- Bachelor of Science in Mechanical Engineering
- Bachelor of Business Administration

Representative Professional Affiliations

- Construction Management Association of America (CMAA)
- Association for the Advancement of Cost Engineering International (AACEI)
- Construction Industry Institute (CII)
- American Society of Civil Engineers (ASCE)
- Architectural Engineering Institute (AEI)
- National Society of Professional Engineers (NSPE)
- Project Management Institute (PMI)
- Construction Specifications Institute (CSI)
- National Institute for Standards and Technology (NIST)
- American Society of Heating, Refrigerating and Air Cooling Engineers (ASHRAE)
- Association of General Contractors (AGC)
- Associated Builders and Contractors (ABC)
- US Green Building Council (USGBC)
- American Bar Association Forum on the Construction Industry (ABA)

Part Three – Project Team



2.3 Project Team

The proposed project management team consists of a highly-skilled staff with decades of experience. Lines of authority are clearly illustrated in the following graphical representation of the project team. Each consultant was chosen for this project based on his/her past cost, scheduling and risk management experience and superior project performance. Each will play an integral role on this project in seeing it to completion. Project consultants and strategic teams have been combined on multiple projects to ensure the best possible team is assembled to meet the needs of each specific project.

Proposed Project Team

1. Anthony Gonzales - Principal
2. John Wolf – Vice President
3. Dana Fetrow – Managing Consultant
4. Thomas Hopkinson – Senior Consultant





ANTHONY J. GONZALES, MS

EDUCATION:

Master of Science in Civil Engineering
University of Texas at Austin
Department of Civil, Architectural and Environmental Engineering

Bachelor of Science in Architectural Engineering
University of Texas at Austin
Department of Civil, Architectural and Environmental Engineering

CURRENT / PAST PROFESSIONAL AFFILIATIONS:

Member – Association for the Advancement of Cost Engineering International (AACE)
(President Central Texas Chapter 2 Years)
Member – Construction Management Association of America (CMAA)
Member – Associated General Contractors (AGC)
Member – U.S. Green Building Council
Member – Catalyst 8 (Leadership Council)
Associate – American Bar Association (ABA) Forum on the Construction Industry (Division 8 –
International Contracting, Steering & Technology Committee)

HONORS AND ACHIEVEMENTS:

State Bar of Texas Construction Law Section Fellowship (2 Years)
Engineering News Record Top 20 under 40 Award

PROFESSIONAL EXPERIENCE:

Anthony Gonzales has successfully provided construction engineering consulting services for numerous clients on projects totaling over \$35 Billion. Mr. Gonzales's expertise is in developing, monitoring, and analyzing effective construction processes and project control systems for contractors, engineers, architects, owners, sureties, developers and financial institutions. He has provided proactive and forensic services involving process evaluation and development, planning, cost estimating, scheduling, productivity evaluation, risk analysis and management, construction claims analysis, quantification, and preparation for complex engineering and construction projects. In addition, he has participated and assisted in mediations, litigation, and arbitration proceedings and been recognized as an expert in his respective fields.



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PROJECT ROLE:

Mr. Gonzales will serve as the project manager for this contract. He will be responsible for administering all phases of the project from start to finish. This includes serving as the primary point of contact for the client, developing and managing Spire's internal project work plan, and creating and monitoring the project schedule and budget. In addition to managing the project, he will be responsible for reviewing the processes associated with the project planning and pre-construction phases which include the procurement solicitation process, contract negotiations, value engineering and schedule evaluations.

Mr. Gonzales has extensive experience evaluating processes and procedures during the project planning and pre-construction phases. Recently, he performed an evaluation of a major EPC firm's current processes and procedures in order to provide recommendations to help improve their contract, change order and claims management processes. In addition he provided cost, schedule and risk evaluations on a \$20 billion residential development project in Los Angeles, California to validate the general contractors' estimates and ensure timely delivery of the projects. The analysis included quantification and costing of materials and labor, and an explanation of discrepancies. He also performed detailed review of project documentation and performance on work completed and forecasted.

REPRESENTATIVE PROJECT EXPERIENCE:

Description	Location	Type
Battlefield Health and Trauma Center	San Antonio, TX	Government
Consolidated Troop Medical Clinic	Fort Riley, KS	Government
Buckley Visiting Quarters & Lodging Facility	Aurora, CO	Government/Hospitality
Basic Research & Education Building	Bastrop, TX	Healthcare
1999 McKinney Avenue Lofts	Dallas, TX	High Rise Commercial
7 Leasco Building Project	Austin, TX	High Rise Commercial
Bush International Airport	Houston, TX	Public Works
6 Sigma - Construction Claims Avoidance	Nashville, TN	Training Seminar
FedEx Phase II Campus	Collierville, TN	Commercial
Mack Energy Headquarters	Artesia, NM	Commercial
McCoy's Corporate Headquarters	San Marcos, TX	Commercial
Edcouch-Elsa Independent School District	Edcouch, TX	Educational
Fort Sam Houston USARC/OMS/ECS Facility	San Antonio, TX	Government
Jackson Madison County Hospital	Jackson, TN	Healthcare
Long Term Acute Care Center	Grapevine, TX	Healthcare



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REPRESENTATIVE PROJECT EXPERIENCE (continued):

Description	Location	Type
Houstonian Renovation Project	Houston, TX	High Rise Commercial
Denver Convention Center Hotel	Denver, CO	High Rise Hospitality
Hotel Indigo	San Antonio, TX	Hospitality
Kiowa Resort & Casino	Devol, OK	Hospitality
Dallas Fort Worth Airport Expansion	Dallas, TX	Public Works
George R. Brown Convention Center Expansion	Houston, TX	Public Works
Grimes County Law Enforcement Center	Grimes County, TX	Public Works
Guadalupe County Jail	Seguin, TX	Public Works
LaSalle County Jail	Encinal, TX	Public Works
Greenbriar Falls I-II Development Project	Greenbriar Falls, NJ	Residential
Heron Creek Development	Portland, Oregon	Residential
Horizon at Tamaron Ranch Development	Phoenix, AZ	Residential
Maluhia at Wailea Development	Wailea, Maui, HI	Residential
Marathon Development Project	Austin, TX	Residential
Managing International Construction Cost Seminar	Abu Dhabi, United Arab Emirates	Seminar
General Sports Arena	Houston, TX	Sports Facility
Peninsula Humane Society & SPCA	San Francisco, CA	Commercial
Public Mini Storage Facilities	United States	Commercial
Southwestern Bell Telephone Company	Houston, TX	Commercial
Thelma Buckingham et al, vs. Mohamed A. Al-Bataineh Assah Enterprises, Inc.	Houston, TX	Commercial
Timmers Chevrolet	Houston, TX	Commercial
Williams Brothers Construction	Austin, TX	Commercial
Pedernales Condominiums	Austin, TX	Commercial Mix
Pinecastle Development	Orlando, FL	Commercial Mix
West Campus Student Housing	Austin, TX	Commercial Mix
Western Union Building Project	New Orleans, LA	Commercial Mix
Somerset Independent School District	Somerset, TX	Educational
Parkland Hospital	Dallas, Texas	Healthcare
Smithville Laboratory Building IV	Smithville, TX	Healthcare
The New Reid Hospital	Richmond, IN	Healthcare
South Lamar Condominiums	Austin, TX	High Rise Commercial
San Antonio Convention Center Hotel	San Antonio, TX	High Rise Hospitality
W Hotel Project	Austin, TX	High Rise Hospitality
Royal Caribbean Labadee Resort	Labadee, Haiti	Hospitality
San Antonio Zoo	San Antonio, TX	Hospitality
Staybridge Suites	Austin, TX	Hospitality
Ponderosa Residential Development	Los Angeles, CA	Residential/Commercial Mix



JOHN C. WOLF

EDUCATION:

MBA, Accounting & Information Systems
The American University – Kogod School of Business

BSCE, Structural Engineering
Villanova University – College of Engineering

CURRENT / PAST PROFESSIONAL AFFILIATIONS:

Association for the Advancement of Cost Engineering International (AACE International)
Construction Financial Management Association of America (CFMAA)
Associated General Contractors (AGC)
American Society of Civil Engineers (ASCE)

PROFESSIONAL EXPERIENCE:

Mr. Wolf has over 20 years of experience within the construction, engineering and architecture fields. His expertise is in developing, monitoring, and analyzing effective construction processes and project control systems for contractors, engineers, architects, owners, sureties, developers and financial institutions. He has managed project controls groups ranging in size from 10 to 25 people as well as outside schedule consultants and IT vendors. He has set company-wide policies and procedures as well as developed in-house training programs. In addition, he has extensive experience preparing daily specific as-built schedules, reviewing cost reporting systems, identifying and analyzing issues via documented reviews and interviews with project personnel.

PROJECT ROLE:

During this project, Mr. Wolf will be responsible for the construction related activities which includes managing contractors, project schedule change orders, claims and legal issues, final inspection and acceptance, project close out and warranties.



He is currently the senior project controls management for the New Parkland Campus Program in Dallas, Texas. As a team leader Mr. Wolf is responsible for the implementation and oversight of the program cost/schedule system on behalf of the Owner, the Parkland Health & Hospital System. His responsibilities include the development and alignment of staff, definition of business process workflows, end-user training and technical systems integration via management of internal IT resources, Parkland IT resources and various outside IT vendors and subcontractors. He also oversees a program controls team that is responsible for the budget, cost, schedule, procurement, logistics and constructability issues with two major national design firms and three major construction groups on a daily basis.

REPRESENTATIVE PROJECT EXPERIENCE:

Description	Location	Type
AOL/Time Warner Complex	New York City, NY	Commercial
Biltmore Theater Renovation	New York City, NY	Commercial
Charleston Job Corps Center	Charleston, WV	Commercial
Disney Concert Hall	Los Angeles, CA	Commercial
Doubletree Hotel Renovation	Romulus, MI	Commercial
Metropolitan Park/Garage 49	Bethesda, MD	Commercial
Pointe Orlando Parks	Orlando, FL	Commercial
Senate Employee Childcare Facility	Washington, DC	Commercial
Venetian Casino and Resort	Las Vegas, NV	Commercial
Mark Twain Elementary	Houston, TX	Educational
Memorial High School	Houston, TX	Educational
Pioneer Middle School	Irving, TX	Educational
Polytech Adult Education Facility	Woodside, DE	Educational
Prairie View A&M	Prairie View, TX	Educational
Reagan High School	Houston, TX	Educational
Region One Magnet High School	Chicago, IL	Educational
Sam Rayburn High School	Houston, TX	Educational
Shepard Hall Renovation Project	New York, NY	Educational
Steinman Hall Renovation Project	New York, NY	Educational
Stratford High School	Houston, TX	Educational
Brooklyn Courthouse Project	Brooklyn, NY	Government
Dallas Police Headquarters	Dallas, TX	Government
Harris County Juvenile Justice Center	Houston, TX	Government
Pentagon Design Build Renovation Navy Basement Renovation Segment 2.A.1-Wedge 4	Washington, DC	Government
Pentagon Design Build Renovation Navy Basement Renovation Segment 2.A.1-Wedge 4	Washington, DC	Government



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REPRESENTATIVE PROJECT EXPERIENCE (continued):

Description	Location	Type
Portsmouth Naval Acute Care Facility	Portsmouth, VA	Healthcare
Saint John's Hospital Renovation Program	Los Angeles, CA	Healthcare
TDCJ Hospital Fire Sprinkler Project	Houston, TX	Healthcare
Lennox Farm	Boston, MA	Residential
Lodge @ Seven Oaks	Baltimore, MD	Residential
Lofts @ Lakeview	Orlando, FL	Residential
1900 McKinney	Dallas, TX	Residential High-Rise
600 Thirteenth Street	Washington, DC	Residential High-Rise
7 Riverway	Houston, TX	Residential High-Rise
717 Olympic	Los Angeles, CA	Residential High-Rise
Acoma	Denver, CO	Residential High-Rise
Ford Field	Detroit, MI	Sports Stadium
International Polo Club	West Palm Beach, FL	Sports Stadium
PSINET (Baltimore Ravens) Stadium	Baltimore, MD	Sports Stadium
Raleigh Entertainment and Sports Arena	Raleigh, NC	Sports Stadium



DANA D. FETROW

EDUCATION:

Bachelor of Science in Architectural Engineering
Emphasis in Structural Engineering and Construction Management
The University of Texas at Austin – College of Engineering

PROFESSIONAL AFFILIATIONS:

Association for the Advancement of Cost Engineering (AACE) – President, San Francisco Section
Construction Management Association of America (CMAA) – Member
American Bar Association Construction Forum (ABA) – Associate Member
Commercial Interior Contractors Awards Foundation (CICA) – Board of Directors

PROFESSIONAL EXPERIENCE:

Mr. Fetrow has extensive experience managing consulting engagements for large projects all over the world. He has worked as an information technology consultant, business strategy consultant, design engineer, construction manager, cost estimator, scheduler and claims analyst. Mr. Fetrow specializes in managing and performing cost control, scheduling, project controls, risk management and training services. He is experienced in developing, analyzing, updating and monitoring construction cost systems and project schedules and other project reporting procedures. He utilizes standard industry scheduling methods and software to develop, monitor, and report the progression of construction projects to ensure clients are informed quickly and accurately of project events, potential problems and corrective actions.

PROJECT ROLE:

Mr. Fetrow will handle the financial management aspects of this project. He will be responsible for performing an analysis of the project funding allocations, budgets, expenses, reconciliations, total project costs and final payments.

Mr. Fetrow has extensive experience analyzing estimate, budget and cost elements of construction projects. He has developed hundreds of cost estimates, assisted clients with the creation and validations of work breakdown structures and project budgets and performed



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numerous reviews of project cost information. Mr. Fetrow has performed process reviews, analysis and recommendations for numerous public and private clients around the world.

REPRESENTATIVE PROJECT EXPERIENCE:

Description	Location	Type
1999 McKinney Avenue Lofts	Dallas, TX	Commercial
Barton Skyway II Office Complex	Austin, TX	Commercial
Barton Skyway IV Office Complex	Austin, TX	Commercial
Best Buy Strategy Development	Minneapolis, MN	Commercial
Gap, Inc. Process Improvement	San Francisco, CA	Commercial
AMD Lone Star Office	Austin, TX	Commercial
Mack Energy Corporate Headquarters	Artesia, NM	Commercial
McCoy's Corporation Headquarters	San Marcos, TX	Commercial
Ross Stores Project Management	Pleasanton, CA	Commercial
Newhall Ranch Site Development Project	Los Angeles, CA	Commercial Mix
Ponderosa Material & Labor Cost Escalation	Los Angeles, CA	Commercial Mix
Pedernales Lofts Condominiums	Austin, TX	Commercial/Residential
West Campus Student Housing	Austin, TX	Commercial/Residential
Somerset Independent School District	Somerset, TX	Educational
Texas A&M Health Science Center	Bryan, TX	Educational
Texas State Stadium Renovation	San Marcos, TX	Educational
State of California Pre-project Planning	Sacramento, CA	Government
State of North Carolina Procurement	Raleigh, NC	Government
Joint Center of Excellence for Health Research	San Antonio, TX	Government/Healthcare
Grapevine Hospital	Dallas, TX	Healthcare
MD Anderson Research Laboratory	Bastrop, TX	Healthcare
MD Anderson Research Laboratory	Smithville, TX	Healthcare
The New Reid Hospital	Richmond, IN	Healthcare
Heron Creek Development	Hillsboro, OR	Multifamily Residential
Redondo Development Project	Seattle, WA	Multifamily Residential
Sunridge Park Development Project	Sacramento, CA	Multifamily Residential
Summerwalk Development Project	Lacey, WA	Multifamily Residential
Brentwood Mariposa Development Project	San Francisco, CA	Residential
Edgewater Development Project	Sacramento, CA	Residential
Horizon at Tamaron Ranch Development Project	Phoenix, AZ	Residential
Sunridge Park Development	Sacramento, CA	Residential
Terravista Development Project	Phoenix, AZ	Residential
Valencia Development Project	Los Angeles, CA	Residential
Windemere Verrado Development Project	San Francisco, CA	Residential



THOMAS E. HOPKINSON, NCRB, AIA

EDUCATION:

Bachelor of Architecture– The University of Arizona

CURRENT / PAST PROFESSIONAL AFFILIATIONS:

Member – National Council of Architectural Review Board
Member – American Institute of Architects (AIA)
Member – State of California, Architect Board Examiner

CURRENT LICENSES AND CERTIFICATIONS:

Licensed Architect in California, Texas, Nevada, Florida, Missouri, Utah, Hawaii and Arizona
General Contractors License (B-2), California (inactive)
NCARB Certified

PROFESSIONAL EXPERIENCE:

Thomas Hopkinson performs proactive construction and program management consulting services for owners, contractors, and subcontractors. Mr. Hopkinson is a licensed architect in California, Texas, Nevada, Florida, Missouri, Utah, Hawaii and Arizona and has over 35 years of experience within the architectural, construction and engineering fields. He assists clients throughout the design, construction and close out phases by evaluating project planning, costs, schedules, construction-related claims, and quantification of damages involving schedule delay and acceleration, productivity loss, late and/or excessive changes, deficient drawings and specifications, and differing site conditions.

PROJECT ROLE:

Mr. Hopkinson will assist during the project planning and construction phases of the project. His responsibilities will include reviewing plans and specifications, shop drawings and submittals as well as oversee the project architects and engineers.

Mr. Hopkinson has assisted clients on a variety of projects throughout the entire project lifecycle for both new construction and renovation projects. He has extensive experience establishing



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project scope and budget objectives, conducting site evaluations and coordinating onsite logistics in addition to managing multiple project teams and final inspection to turnover.

REPRESENTATIVE PROJECT EXPERIENCE:

Description	Location	Type
Souther Developments Carlos Murphy's	Capitola, CA South Lake Tahoe, CA	Residential Hospitality
Fresh Choice St. Joseph's Hospital	Santa Clara, CA Tucson, AZ	Hospitality Healthcare

Part Four – Representative Projects



2.4 Representative Projects

Our experienced and knowledgeable personnel utilize foresight and dedication in starting, executing and completing projects on time to meet the needs of our clients. Spire takes pride in communicating with our partners, and in so doing, has a history of streamlining projects in an organized fashion from conception so that we, as well as our partners, are satisfied with the approach and outcome.

Following is a representative sampling of some of the construction management and consulting projects our consultants have worked on.

Texas A&M Health Science Center



Cost Estimating
Change Order Analysis
Contract/GMP Analysis

Spire's consultants assisted Texas A & M with its pre-project planning process by providing cost analysis and estimating services, and schedule risk assessments for the \$128M Health Science Center in College Station, Texas. The facility consisted of approximately 391,000 square feet including two main buildings, a central plant and associated paved access drives, circulation lanes and parking areas.

Spire estimated the base bid scope as well as various alternates and provided value engineering services. Spire also evaluated the impact of alternates to the project schedule. Texas A&M used Spire's findings to evaluate a number of alternatives, identify cost savings opportunities, validate contractor bids and negotiate contracts. The AACE International Recommended Practice Costs Estimate Classification System was used to develop the preliminary cost estimate.

Project Name	Texas A&M Health Science Center
Location	College Station, Texas
Owner	Texas A&M University System
Final Construction Cost	\$128 Million
Project Gross Size	150,000 Square Feet
Project Management Services	Cost estimating; change order analysis; contract/GMP Analysis
Spire Manager	Anthony Gonzales



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The New Reid Hospital



Cost Estimating
Scheduled Oversight
Quality Reviews
Claims Analysis
Dispute Resolution
Escalation Evaluation
Contract Analysis & Admin
Change Order Analysis
Document Reviews
Mediation Assistance

Spire's construction management consultants provided proactive cost estimating and CPM scheduling services for Reid's new \$300M, 715,000 square foot inpatient, outpatient and medical office complex located in Richmond, Indiana.

Spire's scope of work consisted of schedule reviews and oversight, and various cost analyses to help improve Reid's processes during the construction and project closeout phases. Throughout the project, Spire performed site walks and reviews of the contractor's schedule to provide the owner with monthly reports of findings. Spire also performed evaluations of escalation rates on labor, material and equipment during a two-month window and determined associated schedule risks. The analysis consisted of reviewing the associated work and determining national and international market factors that cause price fluctuations and quantifying the impact the fluctuations had on the overall cost of the project. Primavera was used in the schedule analysis.

Project Name	The New Reid Hospital Campus
Location	Richmond, Indiana
Owner	Reid Hospital & Health Care Services
Final Construction Cost	\$300 Million
Project Gross Size	715,000 Square Feet
Project Management Services	Cost estimating; schedule oversight; quality reviews; claims analysis; dispute resolution; escalation evaluation; contract analysis and admin; document reviews; mediation assistance
Spire Manager	Anthony Gonzales



**Contract, Change Order &
Claims Management
Project**



SANTOS CMI

Process & Procedure
Assessments
Claims Identification
Best Practices
Recommendations
Management Training
Seminar

Spire's consultant's performed a comprehensive review of Santos CMI's current contract, change order and claims management processes and procedures, and developed a four day training seminar based on their review and a preliminary survey given to top executive and key personnel. The course consisted of customized presentations geared toward an audience of company executives, operations managers, project managers, engineering managers, construction managers and procurement managers. The course included nine sessions focused on contract development and management, change order and construction claims management, productivity, scheduling and technology.

Based on the suggestions and feedback given by the participants throughout the seminar, Spire's consultants provided a list of recommendations to help Santos improve its project management processes throughout the entire project duration.

Project Name	Contract, Change Order & Claims Management Project
Location	Quito, Ecuador
Owner	Santos CMI
Project Management Services	Process & procedure assessments; claims identification; best practices recommendations; management training seminar
Spire Manager	Anthony Gonzales

Part Five – References



2.5 References

Project Name: Texas A&M Health Science Center
Owner: Texas A&M University
Representative: Paul Sanders
Phone: (979) 458-7008

Project Name: The New Reid Hospital
Owner: Reid Hospital & Health Care Services
Representative: Jeff Cook
Phone: (765) 983-3035

Project Name: The New Reid Hospital
Architect: HDR, Inc.
Representative: Mike Doiel
Phone: (402) 399-1000



Part Six – Project Execution





2.6 Project Execution

Spire's consultants are experts in industry standard project management processes and procedures and understand that those processes and procedures must be modified to fit the particulars of each individual project. When working with an institutional owner, Spire uses its expertise to apply the owner's standards to each individual project in the most effective manner. Spire works with its clients to obtain key stake holder buy-in on the appropriate methodology for each project and then monitors and reports on the execution of that methodology throughout the project while making any necessary modifications along the way.

While working on the Texas A&M Health Science Center project Spire was required to leverage its knowledge of both industry and institutional processes and procedures. Spire was tasked with performing a cost analysis consisting of a multi-alternative cost estimate, value engineering and schedule impact evaluation. Spire worked with the client to identify the most appropriate standards to apply and then modified those standards to meet the client's requirements. Standards were selected based on input from multiple team members and then Spire executed its work to those standards while documenting modifications.

Spire Consulting Group's in house quality assurance procedure consists of a rigorous system of checks and balances between in-house consulting groups. A three stage information review process by different levels of consultants has resulted in the elimination of nearly 100 percent of deliverable errors. Spire's review process begins several weeks before the deadline set by the client in order to incorporate the changes identified and deliver the product on time. The output created by this multi-team review process consistently receives accolades from our clients and consistently exceeds our clients' expectations. Depending on the specific project scope, this internal system of checks and balances translates well to the review and documentation of the professionals and contractors we are typically charged to manage.

Spire's work on the New Reid Hospital has required significant quality assurance efforts. Spire has produced numerous deliverables for the client since project commencement including cost analysis reports, schedule review reports, schedule validation reviews, claims reviews and dispute resolution support. Spire's reports, some of which are over 100 pages, have effectively



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communicated complex analyses with minimal errors. This has been accomplished by requiring that each deliverable undergo the rigorous quality assurance process described above.

Spire constantly strives to improve its performance and increase client satisfaction which is why we encourage our clients to provide feedback and constructive criticism at any point during our engagement. To measure our performance at the conclusion of each project we utilize the Net Promoter Score practice by asking our clients three simple questions:

1. How likely are you to recommend Spire to another customer? (scale of 1 to 10)
2. What is the primary reason for the score you gave?
3. What is the most important improvement you would like to see to make our company better in the future?

Since its implementation, Spire has averaged a **Net Promoter Score of 9.1** indicating that Spire's clients are loyal enthusiasts that will continue to retain and recommend our services to other potential clients. The information we gather from these questions allows us to see what needs to be changed in order to provide a superior work product and experience for our clients.

The key to Spire's successful record of completing projects on time is communication. Internally, Spire assigns a project manager that is responsible for administering all phases of that project from start to finish. The managing consultant acts as the interface for the client, regardless of the phase of the project. Our horizontal management structure allows our entire project team to be much closer to the client, allowing a better understanding of the client's needs and a faster reaction to those needs.

Spire Consulting Group adheres to a strict project budget and schedule control management system. Spire uses the scope of work identified by the client to estimate the total number of hours needed to perform the work requested. Then an estimate of the total cost and number of hours to complete the project is provided to the client. After the estimate is reviewed and approved, the project manager sets up an electronic workbook to monitor the budget and schedule throughout the duration of the project. Spire utilizes time management software and weekly reporting to track project status during the project.



The project manager develops a work plan at the beginning of the project for the team to use as a guide throughout the duration of the contract. All of our project work is scheduled in-house with MS Project and our time management system. The initial work plan is reviewed and finalized with the client to ensure the target dates are agreeable and interim meetings are set up in order to give regular updates to the client. Management updates the MS Project work plan weekly with the project team members. Hours and billings are posted weekly as an internal check for schedule and budget.

Our personnel are required to submit their hours weekly so that management can see where projects stand in real time and forecast hours for the upcoming weeks. Weekly internal project status meetings are held to compare target budgeted hours to actual performance. This allows us to check our utilization rates and make necessary improvements to enhance our efficiency.

A point person for each active client is identified in order to ensure all parties are informed and updated during every stage of the project. This allows effective and efficient communication between consultants and groups. Ensuring continuity of project objectives on a single project is never a problem due to our constant flow of communication.

Spire's up-to-date software systems provide review tracking, sharing and feedback in a real-time manner. Managers can see who made comments and when they were made on important documents at a glance. Issues with outside agencies are usually posted and tracked on the project's MS Project work plan, which allows Spire to monitor expected start and finish dates for items/tasks in addition to actual start and finish dates. Spire tracks most action items as schedule activities to ensure timely completion of all tasks.



OFFICE OF PARTNERSHIP AFFAIRS

THE UNIVERSITY OF TEXAS AT BROWNSVILLE and TEXAS SOUTHMOST COLLEGE

80 Fort Brown • Brownsville, Texas 78520 • (956) 882-6567 • Fax: (956) 882-8811 • Email: david.pearson@utb.edu • <http://blue.utb.edu/vpapa>

David E. Pearson, Ph.D.
Vice President for Partnership Affairs

June 6, 2008

Mr. Eddie Knebel
Brownsville Museum of Fine Art
660 East Ringgold
Brownsville, Texas 78520

RE: Offer to purchase Brownsville Museum of Fine Art Property

Dear Mr. Knebel:

On behalf of Texas Southmost College, I would like to make an offer to purchase the two buildings located on Porter Drive in Brownsville, Texas.

The property consists of a masonry building, a wood frame building (the Neale House) a wooden gazebo, and two parking lots. The purchase price will be \$150,000 cash with no financing contingency.

The closing will occur 90 days following execution of a purchase and sale agreement by both parties. The form of this purchase and sale agreement will have been agreed to by attorneys for both seller and purchaser.

The sale is subject to the purchaser contracting with the City of Brownsville, the owner of the land beneath the buildings, to acquire the land. It is anticipated that the closings with the City for the land, and the Brownsville Museum of Fine Art for the buildings, parking lots, and gazebo, will be simultaneous.

The purchaser agrees to retain the plaque on the Neale House.

The purchaser agrees to relocate the Neale house to a location on its campus, the exact location to be determined by engineering and geotechnical reports. These reports will be contracted and paid for by the buyer. The relocation cost will be the responsibility of the buyer.

Once the Neale House is moved, the purchaser agrees to renovate and restore the structure. This renovation and restoration will be paid for by the purchaser.

Letters 2008-023

Purchaser recognizes that the Art League will be celebrating the 75th anniversary of its founding in 2010. Purchaser agrees to allow the seller to conduct a ceremony at the Neale House, the date and nature of the ceremony to be agreed upon at a later date by both parties.

Purchaser recognizes that the masonry building is currently being used by Art League artists. Purchaser agrees to allow continued use of the facility by said artists for a period of one year from the closing date. The terms of this use will be specified in a separate lease agreement.

Within 10 days of mutual execution of a purchase and sale agreement, purchaser will inspect infestation; the purchaser will remediate at its cost and expense. Seller will be consulted and shown results of inspection prior to any remediation. Seller's consent may not be unreasonably withheld.

This concludes the terms and conditions of our offer. Feel free to contact me if you have questions or comments. We look forward to working with you on this exciting project.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Pearson', with a long horizontal flourish extending to the right.

Dr. David E. Pearson
Vice President for Partnership Affairs



TEXAS SOUTHMOST COLLEGE DISTRICT BOARD AGENDA REQUEST FORM

Department/Division: Partnership Affairs Division	Board Meeting Date: September 17, 2008
Agenda Item: Consideration and possible action on: Contract and Resolution for Purchase of .817 acre tract of land out of Tract 1, Veterans Area 5.55 acre tract in Fort Brown Reservation, Brownsville, Texas.	
Rationale/Background: The purchase of this property will help meet the demands of student enrollment growth in accordance with the land acquisition recommended strategies from the UTB/TSC 2020 Master Plan. Purchase price is \$245,000, which is the equivalent to \$6.88 per sq. ft. The 2006-2007 average purchase price for East Jackson St. is \$9.91 per sq. ft. The 2008 Cameron Appraisal District assessed value for this property is \$83,250, which is the equivalent to \$2.34 per sq. ft.	
Recommended Action: Motion to approve contract and resolution 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): Map, contract and resolution.	

FOR OFFICE USE ONLY:	
Board Action: Approved: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Tabled for action on: _____	
Certified by: <u>Kim Sanchez</u>	Title: <u>Operations Services Mgr</u> Date: <u>9-17-08</u>

THE STATE OF TEXAS §

COUNTY OF CAMERON §

TEXAS SOUTHMOST COLLEGE DISTRICT

RESOLUTION


WHEREAS, the Board of Trustees of the Texas Southmost College District has previously approved a contract for the acquisition of

**.817 acre tract of land out of Tract 1,
Veterans Area 5.55 acre tract in Fort Brown Reservation,
Brownsville, Texas**

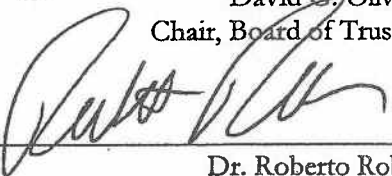
NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Texas Southmost College District hereby approves the acquisition of said property for the purchase price and otherwise in accordance with the terms set out in said contract; and that the Texas Southmost College District does hereby designate and authorize Dr. David E. Pearson, Vice President for Partnership Affairs of the Texas Southmost College District, to execute all documents relating to such sale and purchase, including without limitation Settlement Statements and the like;

I certify that the foregoing is a true and correct copy of the resolution duly adopted by the Board of Trustees of the Texas Southmost College District in open session at the regular meeting of the Board of Trustees held on September 17, 2008 and that the same now appears of record in my office.

In witness whereof, I have hereunto set my hand on this 17th day of September, 2008.



David G. Oliveira
Chair, Board of Trustees



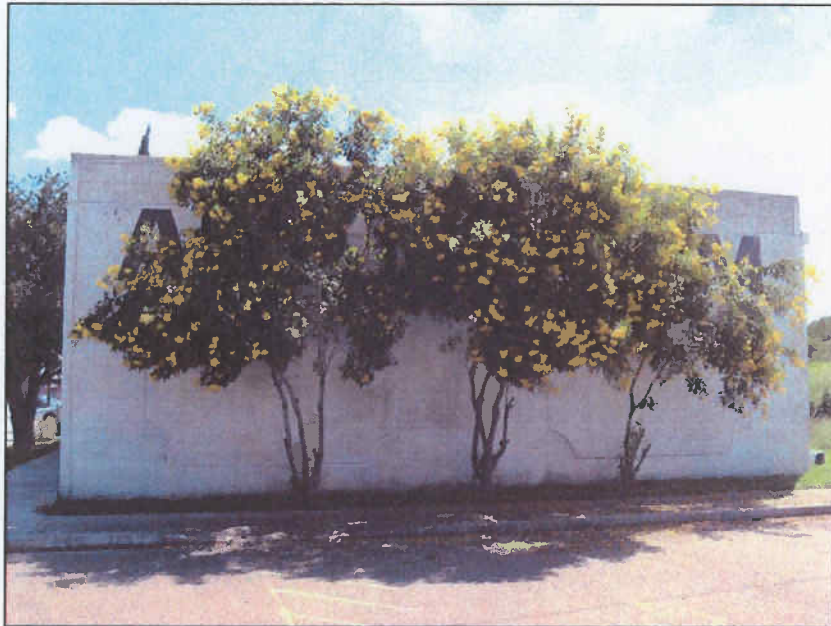
Dr. Roberto Robles
Secretary, Board of Trustees

**CERTIFIED COPY OF RESOLUTION OF
BOARD OF TRUSTEES OF THE
TEXAS SOUTHMOST COLLEGE DISTRICT
ADOPTED SEPTEMBER 17, 2008**

Photographs of the Subject Property



Front View



Side View



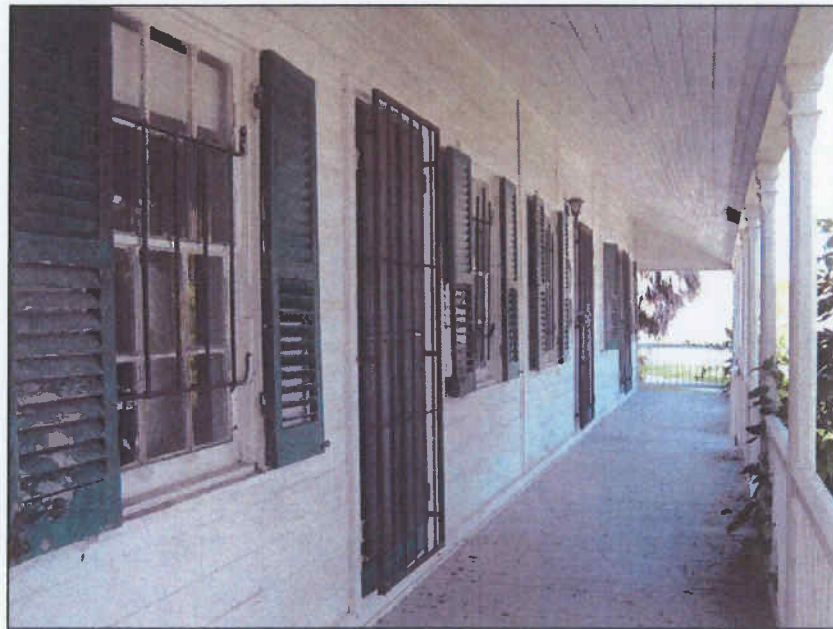
Rear View



View of Parking Lot (parking improvements excluded at the request of the client)



Front View of Frame House (No contributory value)



Front View of Frame House (No contributory value)