

MINUTES

OF THE

SPECIAL TELEPHONIC MEETING OF THE

BOARD OF REGENTS

OF

THE TEXAS A&M UNIVERSITY SYSTEM

HELD IN

COLLEGE STATION, TEXAS

FEBRUARY 23, 1998

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**MINUTES OF THE
SPECIAL TELEPHONIC MEETING OF THE BOARD OF REGENTS
FEBRUARY 23, 1998**

Mr. Don Powell, Chairman of the Board of Regents, convened a special telephonic meeting of the Board of Regents of The Texas A&M University System on Monday, February 23, 1998, at 2:35 p.m., in the Board of Regents Meeting Room, on the campus of Texas A&M University, College Station, Texas.

The following members of the Board were telephonically present:

Mr. Don Powell, Chairman
Mr. T. Michael O'Connor, Vice Chairman
Mr. Robert H. Allen
Ms. Anne Armstrong
Dr. Dionel Avilés
Mr. John H. Lindsey
Mr. Frederick D. McClure
Ms. M. Guadalupe L. Rangel

The following member of the Board was not present:

Mr. Erle Nye

Mr. Powell said the purpose of the special meeting was to award a contract for the construction of the Athletic Facilities Renovations/Additions, Phase IIIb (Kyle Field Stadium Expansion) at Texas A&M University.

Mr. Powell asked Dr. Avilés, Chairman of the Committee on Buildings and Physical Plant, to present the agenda item. Dr. Avilés asked General Ed Peel, Vice Chancellor for Facilities Planning and Construction, to present the item.

General Peel said at a previous meeting, the Board approved the order of ranking and placed Bartlett Cocke, Inc. of San Antonio, in the number 1 proposer position for the construction of the Kyle Field project. Bartlett Cocke originally proposed a contract price of \$35,700,000, which was \$2,700,000 more than the \$33,000,000 project budget. Negotiations were initiated on January 26, 1998, to form a contract with Bartlett Cocke at a price not to exceed \$33,000,000. These negotiations were completed on February 13, 1998, after scope and price adjustments were made. General Peel said that resulted in an agreed to contract amount of \$32,956,548, as reflected in the agenda item. These adjustments involved acceptable cost savings that were suggested by the contractor, the designers and the System's professional engineers and architects. Some examples of the cost savings included changing from pre-cast upper raker beams to cast-in-place, reducing the amount of vinyl wall covering in certain non-public areas, changing from custom interior finished elevator cabs to standard cabs, reducing the build-out of concession stations in certain areas, and changing from Zolatone paint to latex paint in the 12th Man lobby.

General Peel said to get to \$33,000,000, the escalator was removed from the project, which was one item that Mr. Wally Groff, Athletic Director, would like to put back into the project, if at all possible. The escalator was removed from the contract scope during negotiations, which reduced the contract amount by \$220,600. General Peel said they have provided sufficient contingencies within the \$37,800,000 budget to return the escalator to the project by change order without increasing the overall budget. He said with the permission of the Chancellor, the Committee and the Board, they can buy back the escalator within the available contingency without increasing the overall \$37,800,000 budget. General Peel recommended that the Board approve the proposed minute order contained in the agenda item which awards the contract to Bartlett Cocke Inc. of San Antonio, Texas, in the amount of \$32,956,548.

In response to a question from Dr. Avilés, General Peel said there was no problem with completing the project within the established contingencies.

General Peel said they asked the proposers to submit a listing of potential cost saving ideas along with their initial proposal package. They were not asked for estimated amounts for those potential cost savings. The administration didn't think it was fair and useful to ask the proposers to estimate savings on the pre-cast to cast-in-place item, since the final cast-in-place design was not available to provide to the proposers before the initial proposal was submitted. The proposers were asked to base their cost proposal in the original proposal package on the original design which called for all pre-cast raker beams, not cast-in-place. The intention was to develop the savings during negotiations for determining the savings on pre-cast to cast-in-place, after the design could be made available to the proposers and they had a chance to develop a firm number. General Peel said even though it was not requested, some tentative, non-binding estimated numbers were suggested by several of the proposers, subject to a review of the final design. For example, Jordan estimated a savings of around \$500,000, on that one item. Centex estimated up to \$900,000, depending again on how the final design looked. Manhattan estimated a possible savings of up to \$1,900,000. BFW and Bartlett Cocke did not suggest a number although they did include that as a cost savings item. General Peel said after reviewing the design made available to the proposers, during the negotiations, Bartlett Cocke offered a \$525,000 cost savings on the pre-cast to cast-in-place item. The administration explained to Bartlett Cocke that would not get them to the goal and they had to do better or there would not be an award. After almost three weeks of intense negotiations with Bartlett Cocke, during which time they continued to negotiate with various forming companies and with pre-cast firms and others, Bartlett Cocke proposed using cast-in-place for the heavier raker beams in the upper deck and a combination of pre-cast for the lighter raker beams in the lower deck, with a cost saving of \$930,000. General Peel said the administration did not want to risk terminating negotiations with Bartlett Cocke. Therefore, Bartlett Cocke's \$930,000 cost saving was accepted and the administration continued negotiations on other items to reach the project goal. The contract price agreement of \$32,956,548, was reached on February 13, 1998.

Dr. Avilés asked if the project will be completed for the beginning of the 1999 season. General Peel replied in the affirmative.

Dr. Avilés asked if there was a commitment to have a certain number of seats by the beginning of the 1998 season. General Peel replied in the negative.

Mr. Allen asked for the scheduled completion date. General Peel replied that the scheduled completion date is September 1, 1999. Mr. Lindsey asked the number of seats. General Peel said over 80,000. Mr. Billy Pickard, Associate Athletic Director, said it will be 80,426 seats.

Dr. Avilés said the Committee recommended approval of the award of contract to Bartlett Cocke of San Antonio, Texas.

The Board took action as set forth below:

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**MINUTE ORDER 32-98 (ITEM 1)**

**AWARD OF CONTRACT FOR THE  
ATHLETIC FACILITIES RENOVATIONS/ADDITIONS,  
PHASE IIIb (KYLE FIELD STADIUM EXPANSION),  
TEXAS A&M UNIVERSITY**

On motion of Mr. Lindsey, seconded by Mr. Allen and by a unanimous vote, the following minute order was adopted:

Based on proposals received January 8, 1998, and subsequent negotiations, the contract is awarded to Bartlett Cocke, Inc. of San Antonio, Texas, at \$32,956,548.00 for the Athletic Facilities Renovations/Additions, Phase IIIb (Kyle Field Stadium Expansion) at Texas A&M University.

Supplementing previous appropriations of \$1,720,000.00, the amount of \$36,530,147.17 is appropriated from Revenue Financing System (Stadium Revenue Fund) for the Athletic Facilities Renovations/Additions, Phase IIIb, at Texas A&M University.

The amount of \$450,147.17 in previous appropriations is reverted to Reserve for Athletic Facilities.

As required by Section 5(a) of the Master Resolution of the Revenue Financing System, the Board hereby determines that it will have sufficient funds to meet the financial obligations of The Texas A&M University System, including sufficient Pledged Revenues to satisfy the Annual Debt Service Requirements of the Revenue Financing System and to meet all financial obligations of the Board relating to the Revenue Financing System and that the Participants, on whose behalf the Bonds are to be issued, possess the financial capacity to satisfy their Direct Obligations.

*(Secretary's Note: Mr. Powell called the roll to take the vote on this item.)*

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There being no further business, Mr. Powell adjourned the meeting at 2:47 p.m., the same day.

Vickie Burt
Executive Secretary to the Board
The Texas A&M University System

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