



**SOUTH TEXAS  
COLLEGE**

# **Board of Trustees**

## **Regular Board Meeting**

**Tuesday, January 26, 2021**  
**5:30 p.m.**

**Pecan Campus**  
**Ann Richards Administration Building**  
**Board Room**  
**McAllen, Texas**

**Online Board Packet**

**SOUTH TEXAS COLLEGE  
BOARD OF TRUSTEES REGULAR MEETING  
Tuesday, January 26, 2021 @ 5:30 p.m.  
Ann Richards Administration Building Board Room  
Pecan Campus, McAllen, Texas 78501**

**AGENDA**

"At anytime during the course of this meeting, the Board of Trustees may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Board of Trustees under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at anytime during the course of this meeting, the Board of Trustees may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code. At this meeting, the Board of Trustees may deliberate on and take any action deemed appropriate by the Board of Trustees on the following subjects:"

**COVID-19 Public Health / Attendance Measures**

Due to COVID-19 and Social Distancing recommendations, members of the public are encouraged to watch the live broadcast of the meeting at: <https://admin.southtexascollege.edu/president/agendas/live.html>.

- 1) Anyone wishing to make Public Comments as provided in the agenda is asked to sign up prior to the meeting, and they will be called into the Board Room individually when it is their turn to make comments.
- 2) Anyone who wishes to be available to respond to questions that may arise on an agenda item will be asked to wait outside the Board Room until their agenda item is called upon by the Board of Trustees. Pecan Campus Room D-106 will be open and televising the live stream, and guests are invited to wait for their items there.
- 3) Essential staff will be on standby in an adjacent area, and ready to be called into the meeting as needed.

- I. Call Meeting to Order**
- II. Determination of Quorum**
- III. Invocation**
- IV. Public Comments**
- V. Presentations..... 6 - 9**
  - 1) Expression of Appreciation to Trustees for Their Service and Contributions to South Texas College
  - 2) Presentation on December 2020 Virtual Commencement Ceremony and Planning for Spring 2021 Virtual Commencement Ceremony
  - 3) Report on the Fall 2020 Virtual Commencement Ceremony Performance and Viewership

**VI. Consideration and Action on Consent Agenda**

1. Approval of Board Meeting Minutes ..... 10 - 49
  - 1) December 15, 2020 Regular Board Meeting Minutes
  - 2) January 12, 2021 Special Board Meeting Minutes
2. Approval and Authorization to Accept Grant Awards and Agreements .. 50 - 52
  - 1) US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Emergency Financial Aid Grants to Students under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021 in the amount of \$10,011,199
  - 2) US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Institutional Portion under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021, in the amount of \$32,178,403
  - 3) Texas Higher Education Coordinating Board (THECB), Carl D. Perkins Basic Grant, Additional Funds (Reallocation) in the amount of \$257,649.20
  - 4) Additional Grant(s) Received/Pending Official Award

**VII. Consideration and Action on New Agenda Items**

1. Discussion and Action as Necessary to Approve Engagement of Association of Community College Trustees (ACCT) to Assist with the Presidential Search ..... 53 - 57

**VIII. Consideration and Action on Committee Items**

**A. Education and Workforce Development Committee Items**

1. Review of Presentation to the Education and Workforce Development Committee: ..... 58 - 61
  - 1) Presentation on Student Activities and Wellness: Student Engagement During the Pandemic
  - 2) Presentation on Dual Credit Faculty: Standards, Approval Process, and Support
  - 3) Presentation on CARES Act Funding and Continued Student Support

**B. Finance, Audit, and Human Resources Committee Items**

1. Review and Action as Necessary on Consent Agenda Items from the Finance, Audit, and Human Resources Committee ..... 62 - 63
  - 1) Approval of Award of Proposal, Rescission of Award, Purchases, and Renewals ..... 64 - 71
    - A. Award of Proposal
      1. HEP Grant Consultant (Award)

B. Rescission of Award

2. Beverage Products (Rescind)

C. Purchases and Renewals

a. Instructional Item

3. 3D Printer System and Materials (Purchase/Trade-In)

b. Non-Instructional Items

4. Elevator Upgrades (Purchase)
5. Case Management Services (Renewal)
6. Online Employee Training Services (Renewal)
7. Traditional Content Marketing Services (Renewal)

c. Technology Items

8. Network Equipment Replacements (Purchase)
9. Red Hat License Maintenance Agreement (Renewal)

2) Approval of Renewal of External Auditor Services..... 72 - 73

3) Approval of Request for Qualifications for College Legal Counsel  
..... 74 - 99

4) Approval of Option to Voluntarily Continue Offering College  
Employees the Emergency Paid Sick Leave and Emergency Family  
and Medical Leave through March 31, 2021 and Retroactive to  
January 1, 2021 ..... 100 - 102

2. Review and Action as Necessary on Financial Advisor Services and  
Continuing Disclosure Services ..... 103 - 104

3. Presentation of the Delinquent Tax Collection Report for the Period Ending  
November 30, 2020 ..... 105 - 115

4. Presentation of the Quarterly Investment Report for the Period Ending  
November 30, 2020 ..... 116 - 123

C. Facilities Committee Items

1. Review and Action as Necessary on Consent Agenda Items from the  
Facilities Committee..... 124 - 126

1) Approval to Contract Engineering Services for the Nursing and Allied  
Health Campus NAH East Building A Exterior Stairs Repairs and  
Replacement..... 127 - 142

2) Approval to Contract Mechanical, Electrical, and Plumbing (MEP)  
Engineering Services for the Regional Center for Public Safety  
Excellence Additional Chiller Installation ..... 143 - 154

3) Approval of Proposed Change Order for the Pecan Campus Sand  
Volleyball Court Sand Replacement ..... 155 - 160

4) Approval of Architectural Fee Adjustment for the Mid Valley Campus  
Student Union Building F Renovation of Cashiers and Career &  
Employer Services Areas Project ..... 161 - 164



5) Approval of Engineering Fee Adjustment for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive .....	165 - 169
6) Approval of Substantial Completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area .....	170 - 176
7) Approval of Final Completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation. ....	177 - 184
8) Approval of Final Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas .....	185 - 190
9) Approval of Final Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive .....	191 - 198
2. Review and Ratification of Facilities Usage Agreement with Main Event Entertainment .....	199
3. Review and Action as Necessary on Approval of Proposed Change Orders for the Nursing and Allied Health Campus and Starr County Campus Student Services Renovations.....	200 - 205
4. Update on Status of Unexpended Plant Fund Construction Projects and Renewals & Replacements Projects.....	206 - 213
 <b>IX. Consideration and Approval of Checks and Financial Reports .....</b>	<b>214 - 215</b>
 <b>X. Announcements</b>	
A. Next Meetings: .....	216
• <u>Tuesday, February 9, 2021</u>	
➤ 3:30 p.m. – Education and Workforce Development Committee	
➤ 4:30 p.m. – Facilities Committee	
➤ 5:30 p.m. – Finance, Audit, and Human Resources Committee	
• <u>Tuesday, February 23, 2021</u>	
➤ 5:30 p.m. – Regular Board Meeting	
B. Other Announcements:	
• Wednesday, February 3, 2021 is the Spring 2021 Census Day	
• The College will be closed on Friday, February 12, 2021 for College-Wide Organizational Development Day.	
• The College will be closed Monday, March 15, 2021 – Sunday, March 21, 2021 for Spring Break.	
• The College will be closed Thursday, April 1, 2021 – Sunday, April 4, 2021 for Semester Break.	

## **Presentations**

### **1) Expression of Appreciation to Trustees for Their Service and Contributions to South Texas College**

Dr. David Plummer, Interim College President, will present an expression of appreciation to the Board of Trustees on the behalf of faculty, staff, and students of South Texas College.

While the past year has been full of unprecedented challenges, South Texas College proved resilient and attained fantastic achievements, thanks to the leadership of its Board of Trustees and their strong support of the administration, faculty, staff, and students.

#### **National Alliance of Concurrent Enrollment Partnerships (NACEP) Accreditation**

In Spring 2020, shortly after the start of the pandemic, South Texas College learned that the National Alliance of Concurrent Enrollment Partnerships (NACEP) would formally make South Texas College the first institution in Texas to receive their prestigious, national accreditation of dual credit programs, recognizing the excellence of our partnerships and the opportunities we provide to students throughout Hidalgo and Starr counties.

Board support of dual credit programs has been fundamental to the College's success in building a college-going culture in the Rio Grande Valley.

#### **Southern Association of Colleges and Schools – Commission on Colleges (SACSCOC) Reaffirmation of Accreditation**

In Fall 2020, in the height of the pandemic, South Texas College hosted the Southern Association of Colleges and Schools – Commission on Colleges (SACSCOC) for their first-ever virtual on-site tour of a college or university for reaffirmation of accreditation.

Upon their exit report, the reaffirmation team informed the College that they planned to submit a recommendation of reaffirmation with no findings, meaning that South Texas College had demonstrated full compliance with each of their 73 rigorous standards of accreditation.

The Board's commitment to the integrity, rigor, and high standards of South Texas College have built an institution that serves as an example to colleges and universities nation-wide.

**2) Presentation on December 2020 Virtual Commencement Ceremony and Planning for Spring 2021 Virtual Commencement Ceremony**

Mr. Matthew Hebbard, Vice President for Student Affairs and Enrollment Management, will present on the December 2020 Virtual Commencement Ceremony.

At this ceremony, formally launched for the public on Saturday, December 12, 2020, South Texas College formally recognized the outstanding achievements of 1,749 graduates. These exceptional students persevered through the challenging transition to new course delivery requirements under the COVID-19 pandemic, and with strong focus on their goals, completed their certificate, associate degree, and baccalaureate degree programs.

The following credentials were awarded and recognized at the December 2020 Commencement Ceremonies:

<b>Credential</b>	<b>Dual Credit</b>	<b>Traditional</b>	<b>Total</b>
Certificates of Completion	9	373	<b>382</b>
Associate Degrees	137	1013	<b>1150</b>
Baccalaureate Degrees	---	217	<b>217</b>
<b>Total:</b>	<b>146</b>	<b>1603</b>	<b>1749</b>

Mr. Hebbard will also provide a preliminary review of the planning for the Spring 2021 Virtual Commencement Ceremony.

One element of this planning to highlight for the Board centers on the procurement of graduation regalia, including caps, gowns, sashes, tassels, and other accessories.

South Texas College provides each graduate with full regalia appropriate to their achievements, including the cap, gown and tassel worn by all students, as well as sashes, honor cords, and other items that can be earned by participation in specific groups or by earning special achievements. All regalia is provided free-of-charge to the students, so that cost does not prohibit any student from celebrating achievements.

With the challenges of the COVID-19 pandemic, the Spring 2020 commencement was delayed to a virtual ceremony in July. In preparation for that ceremony, the College provided regalia as normal to all graduates. For dual credit program graduates, regalia was provided to the participating high schools for distribution to their graduates.

Administration has learned that not all high schools distributed STC regalia to their students. In these cases, students often received only their district-issued regalia. Many dual credit graduates uploaded photos in their high school graduation regalia to be included in South Texas College's commencement ceremony.

The cost of purchasing regalia for Dual Credit Program graduates in Spring 2020 was approximately \$23,200, based on purchasing 2,000 sets of caps, tassels, and gowns at \$11.60 per set.

Administration has proposed providing only caps and gowns for Dual Credit Program graduates for Spring 2021, which would only cost \$2.95 per graduates. At an expected 2,200 Dual Credit Program graduates, this would reduce the regalia cost for Spring 2021 to \$6,490, an estimated savings of \$16,710. This is proposed upon the expectation that the districts will provide their graduates with regalia, so that no one would be left without full regalia to mark their graduation.

The Board is asked to provide feedback on the proposal to purchase only caps and tassels for Dual Credit Program graduates, plus whatever sashes, honor cords, or other regalia they are accorded. Full regalia would still be provided at no cost to traditional graduates.

3) Report on the Fall 2020 Virtual Commencement Ceremony Performance and Viewership

South Texas College's Fall 2020 Virtual Commencement Ceremony went "live" on the College's website on Saturday, December 12, 2020. This was the day planned for a live ceremony, and the virtual ceremony were planned to ensure we could acknowledge our graduates on that day.

Mr. Daniel Ramirez, Director of Public Relations and Marketing, will present on the performance and viewership of the December 2020 Virtual Commencement Ceremony.

Mr. Ramirez will review the *Virtual Graduation Hub*, hosted at [southtexascollege.edu/graduation](https://southtexascollege.edu/graduation), which provides the public with access to commencement videos, a search function to find specific graduates, "shout outs" from students, faculty, and staff, and additional features on the graduation.

He will continue with a review of the communication strategies that publicized the event to graduating students and the public at large, and will review the data on how each channel of communication brought visitors to the virtual ceremony.

Mr. Ramirez will highlight the online performance of each video segment, the search feature, social media, and traditional media coverage.

In conclusion, Mr. Ramirez will discuss his observations during the virtual ceremony, and opportunities for future improvement.

These presentations are provided for the Board information and feedback to administration. No action is requested.

## **Approval of Board Meeting Minutes**

The following Board Meeting Minutes are submitted for approval:

- 1) December 15, 2020 Regular Board Meeting Minutes
- 2) January 12, 2021 Special Board Meeting Minutes

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and adopt the Minutes for December 15, 2020 Regular Board Meeting, and the January 12, 2021 Special Board Meeting as presented.

### **The following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of South Texas College approves and adopts the Minutes for December 15, 2020 Regular Board Meeting, and the January 12, 2021 Special Board Meeting as presented.

### **Approval Recommended:**

**David Plummer, M.B.A., Ed.D.**  
**Interim President**

**SOUTH TEXAS COLLEGE  
BOARD OF TRUSTEES REGULAR MEETING  
Tuesday, December 15, 2020 @ 5:30 p.m.  
Ann Richards Administration Building Board Room  
Pecan Campus, McAllen, Texas 78501**

**Minutes**

**Call Meeting to Order:**

The Regular Board Meeting of the South Texas College Board of Trustees was held on Tuesday, December 15, 2020 in the Ann Richards Administration Building Board Room at the Pecan Campus in McAllen, Texas. The meeting commenced at 5:36 p.m. with Ms. Rose Benavidez presiding.

Ms. Benavidez announced that specific precautions had been taken due to the COVID-19 / novel coronavirus outbreak, which had prompted local, state, and federal officials to declare states of emergency and outline recommended safety precautions for the conduct of essential business.

These precautions included:

- Recommendation for public use of the live broadcast in lieu of in-person attendance;
- Request for prior-registration for Public Comments;
- Request for anyone with an issue on the agenda to wait outside the Board Room until called upon for their agenda item;
- Essential staff waited on standby in adjacent areas until their items were under discussion; and,
- Trustees were encouraged to attend in person or participate by conference call, as their personal circumstances dictated.

Members present: Ms. Rose Benavidez, Dr. Alejo Salinas, Jr., Mr. Paul R. Rodriguez, and Mr. Danny Guzman were present in the South Texas College Ann Richards Administration Board Room. Mrs. Victoria Cantú, Mr. Gary Gurwitz, and Mr. Rene Guajardo were present and participated by teleconference.

Members absent: None

Also present: Dr. David Plummer, Mr. Jesus Ramirez, Mrs. Mary Elizondo, Mr. Matthew Hebbard, Mrs. Rebecca Cavazos, Mr. Rick De La Garza, Ms. Katarina Bugariu, Dr. Jayson Valerio, Dr. Rebecca De Leon, Mr. Aaron Rios, Ms. Anshari Khatwani, Mr. Miguel Martinez, Mr. Gabriel Pena, Mr. Jose Guerrero, Mr. Eddie Garza, Mr. David Perez, Ms. Darcy Carpenter, Ms. Natalie Longoria, Ms. Katalina Coronado, and Mr. Andrew Fish.

### **Determination of a Quorum**

A quorum was present and a notice of the meeting was posted.

### **Invocation**

Mr. Matthew Hebbard, Vice President for Student Affairs and Enrollment Management, said the invocation.

### **Public Comments**

No public comments were given and a notice of the meeting was posted.

### **Presentations**

The following presentations will be provided for the Board of Trustees:

#### **Recognition of Retirement of Dr. Shirley A. Reed, Founding President**

After 26 years of exceptional leadership and service, South Texas College's founding president Dr. Shirley A. Reed has announced her retirement. Dr. Reed's drive, vision, and unwavering integrity were vital to building the College. Starting with modest resources, Dr. Reed assembled and led an exceptional team that built South Texas College into the world-class institution that it is today. Supporting innovative workforce education alliances, dual credit partnerships, applied baccalaureate degrees and countless other initiatives, Dr. Reed and South Texas College have highlighted the Rio Grande Valley as a role for higher education institutions nation-wide, and economic development leaders around the world.

The Board of Trustees recognized Dr. Reed's outstanding contributions and dedication to South Texas College, and thanked her for twenty-six years of committed service.

#### **Announcement of Dr. David Plummer, Interim President**

On December 8, 2020, the Board of Trustees formally appointed Dr. David Plummer to serve as Interim President, effective January 4, 2021, and until the start date for the next President of South Texas College.

Dr. Plummer has over twenty years of experience in institutions of higher ed, with most of that at South Texas College. He has served as a Director of Workforce Training, a Chief Project Officer, and Dean of Administrative Services prior to his service as South Texas College's Vice President for Information Services, Planning, Performance, and Strategic Initiatives.



In July 2019, Dr. Plummer was appointed Interim Executive Vice President for Educational Programming and Student Achievement, in which role he provided additional oversight and coordination to support institutional programs focused on expanding enrollment, instructional programs, instructional delivery systems, and cost efficiencies and effectiveness.

Dr. Plummer was asked by the Board to provide his leadership and strategic planning talents to help support South Texas College during this search for its next President.

The Board of Trustees thanked Dr. Plummer for his willingness to serve in this capacity, and looked forward to working with him in leadership of the College.

### **Presentation on Inspire 2020 - Truth Initiative**

Student leaders with Inspire 2020, and supported by grant funding by the Truth Initiative, have been working to develop a recommendation to establish South Texas College as a 100% smoke-free institution. As part of this grant, these students are to present on their activities and recommendations to the Board of Trustees.

Working with the Respiratory Therapy Program and the Respiratory Club, these students have completed a number of activities, including the development of a task force to address smoking at campus, engagement of students, faculty, and staff, and work on a policy recommendation, in addition to activities with professional development and student events.

Students Natalie Longoria and Katalina Coronado presented to the Board of Trustees on December 15, 2020.

These presentations were for the Board's information, and no action was requested.

**Chair Benavidez postponed action on the following item until a subsequent meeting:**

### **Chair Appointment of Board Committee Chairs and Committee Members**

Policy # 1110: *Board Committees* designates the three (3) committees of the Board:

- Education and Workforce Innovation
- Finance and Human Resources
- Facilities

The Chair may, from time to time as deemed necessary, create committees to advise the Board and facilitate the efficient operation of the Board. Their membership is to be established by action of the Chair. A committee that includes one or more Trustees is

subject to the Open Meetings Act when it meets to discuss public business or policy. *Atty. Gen. Op. No. JM-1072 (1989)*.

The membership and appointment of Committee Chairs is established by action of the Board Chair.

No action was taken at the December 15, 2020 Regular Board Meeting.

### **Approval of Board Meeting Minutes**

The following Board Meeting Minutes were submitted for approval:

- 1) November 12, 2020 Special Board Meeting
- 2) November 24, 2020 Regular Board Meeting
- 3) December 8, 2020 Special Board Meeting

At the November 24, 2020 Regular Board Meeting, it was noted that the Minutes for the November 12, 2020 Special Board Meeting, as presented for approval, did not include copies of the Orders reviewed and approved at that meeting, and asked that the Orders be presented to the Board along with the Minutes in December 2020, so that the Board could consider approval of those Minutes at that time.

While legal counsel confirmed that the Minutes were not legally required to include the Orders, and they had not traditionally been included with Minutes, those two Orders were provided as backup within this Board Packet, following the Minutes for the November 12, 2020 Special Board Meeting, for the Board's review and consideration while deliberating the adoption of the proposed Minutes.

Upon a motion by Mr. Danny Guzman and a second by Mrs. Victoria Cantú, the Board of Trustees of South Texas College approved and adopted the Minutes for November 12, 2020 Special Board Meeting, the November 24, 2020 Regular Board Meeting, and the December 8, 2020 Special Board Meeting as presented. The motion carried.

### **Review and Action as Necessary on Reimbursement Rates for South Texas College Faculty Teaching Dual Credit Courses**

Dr. Rebecca De Leon, Dean for Dual Credit Programs & School District Partnerships reviewed the Proposed Flat Rates for reimbursement for South Texas College faculty teaching dual credit courses.

Dr. De Leon and Dr. Brett J. Millán, Special Assistant to the Office of the Vice President for Academic Affairs, presented this item for an initial discussion at the November 10, 2020 Education and Workforce Development Committee meeting.

Dr. De Leon returned to the Committee on Tuesday, December 8, 2020, to provide further time for review, and to request a Committee recommendation for Board approval to implement the proposed flat rates for the 2021-2022 Academic Year.

### **South Texas College Dual Credit Partnerships**

In Fall 2020, South Texas College's Dual Credit Program supports partnerships with 21 school districts, and at 70 separate high school campuses, across Hidalgo and Starr Counties. With its school district partners, 1,556 dual credit course sections were taught, serving 12,282 dual credit students.

Generally, it was expected that school districts would recruit and hire highly qualified teachers, with appropriate credentials to teach as dual credit faculty. South Texas College evaluates all teachers assigned by districts to teach dual credit courses, and provides approved teachers with training, curriculum, and support to ensure the quality of their courses meets higher education rigor and standards.

Increasingly, districts have offered more classes than they can satisfy with their own teachers, and ask South Texas College to provide faculty to cover courses. Over the years, the number of South Texas College faculty assigned to teach at school district sites has increased.

- In 2010: **103** STC faculty taught **276** sections at high school campuses.
- In 2020: **270** STC faculty taught **620** sections at high school campuses.

### **South Texas College Dual Credit Faculty Costs**

South Texas College was able to afford to waive dual credit tuition and fees by partnering with school districts to provide faculty, while the College provides curriculum, training, and faculty support.

When faculty members teach traditional College courses at South Texas College campuses, students are assessed tuition and fees, which helps provide revenue to offset faculty costs.

When school districts require College faculty to teach their scheduled courses, the College does not generate tuition or fees. This has led to increased faculty costs to the College. While the College does collect State Contact Hour funding, it is delayed for two years, and does not adequately cover faculty costs.

### **Faculty Cost Study**

During the Spring 2020 semester, the Division of Academic Affairs analyzed dual credit faculty cost reimbursements covering 558 course sections and determined that the College lost \$71,922 in faculty salary costs by assigning faculty to dual credit courses instead of courses at South Texas College campuses.

### Proposed Flat Rates

Administration recommended the adoption of a simple Flat Rate System for Academic Year 2021 – 2022. The proposed flat rates would provide a rate schedule to all districts, allowing them to budget according to their need for South Texas College faculty to cover dual credit course assignments.

Flat Rate Academic Year 2021-2022	
Hours	Flat Rates
Academic	
3	\$4,500
4	\$5,000
5	\$5,600
6	\$6,000
CTE	
3	\$4,800
4	\$5,500

Total South Texas College faculty costs, as studied by the Division of Academic Affairs, were used as a basis to identify the minimum flat rate needed to sufficiently cover the College's faculty salary expenditures for Dual Credit courses. Rates were formulated according to number of course requests and class length.

Such a model would offer simplified budgeting and billing practices, offering the College and its partners greater cost control and planning capabilities.

The College would continue to regularly review the flat rate schedule, and work on revisions for subsequent years based upon recoupment strategies and effectiveness.

The Education and Workforce Development Committee recommended Board approval to implement the proposed model for the 2021 - 2022 Academic Year.

The Board asked how much the College expected to recover with the implementation of the proposed model. Dr. David Plummer, Interim President, responded that actual recovery would depend on course enrollment and the districts' needs for South Texas College Faculty. He agreed to provide a report to the Board on actual recovery of costs when the data was available.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized implementation of the proposed model for the 2021 - 2022 Academic Year. The motion carried.

### **Review of Presentation to the Committee:**

The Education and Workforce Development Committee received the following presentation on Tuesday, December 15, 2020:

#### **Presentation on the Associate Degree Nursing Program NCLEX-RN Pass Exam Results for 2020**

Dr. Jayson Valerio, Dean of Nursing & Allied Health, presented the National Council Licensure Exam (NCLEX) for Registered Nurses (RN) results for South Texas College students in 2020. Dr. Valerio was proud to report an 88.51% First-Time Pass Rate for STC graduates in 2020. Of South Texas College's 235 Associate Degree Nursing (ADN) graduates this year, 208 passed this difficult exam on their first attempt.

The South Texas College ADN Program was established in 1998, with an initial cohort of 53 students admitted in 1999.

The ADN Program received formal accreditation from the Texas Board of Nursing (TBON) in 2001, and was re-approved in 2019 for an additional six-year term. Additionally, the program earned accreditation by the prestigious and rigorous Accreditation Commission for Education in Nursing (ACEN) in 2019.

The NCLEX-RN is required for all nursing graduates who wish to attain licensure as a registered nurse. This is a comprehensive examination, administered by the National Council of State Boards of Nursing, and the resulting licensure is accepted nation-wide. This same test is administered to graduates of Associate, Bachelor, or Master level prelicensure nursing programs. Licensed nurses advancing their academic career, such as through South Texas College's RN-to-BSN Program, are not required to retake the NCLEX-RN because they have previously successfully passed it.

The Texas Board of Nursing (TBON) measures the first-time pass rates for all accredited nursing programs state wide. TBON requires that program graduates attain an 80% pass rate on their first attempt at the NCLEX exam. While students who fail their first attempt are able to re-test for licensure, subsequent success does not affect this TBON measure.

Nursing programs that fail to meet at least an 80% first-time pass rate are sanctioned by TBON, starting with a 1<sup>st</sup> year warning, and escalating to closure of the program after four consecutive years falling below the 80% rate.

South Texas College's historical first-time NCLEX-RN pass rates since 2016, and a sample of peer institutions for the October 1, 2019 – September 30, 2020 period, are provided within the presentation.

South Texas College is proud of its committed and talented ADN graduates, the next generation of Texas nurses, and thanks our faculty and staff for their leadership, guidance, and support of these great students.

This presentation was reviewed for the Board's information only. No action was necessary.

### **Review and Action as Necessary Regarding the Fiscal Year 2020 Financial Audit**

On December 8, 2020, Mr. Aaron Rios, a Partner with Carr, Riggs & Ingram, LLC, reviewed the status of the Comprehensive Annual Financial Report for the Fiscal Years Ended August 31, 2020 and 2019 with the Committee and responded to questions.

Mr. Rios reported an "unmodified" opinion on each area audited.

The external financial auditors presented on the FY 2020 net position, revenues and expenditures, and on tuition, fees, and student enrollment trends.

No action was taken at the Committee meeting.

A draft of the Comprehensive Annual Financial Report for the Fiscal Years Ended August 31, 2020 and 2019 was included under separate cover. This included the auditor's draft letters, which are pending final review by the firm. The auditor delivered the final letters prior to the December 15, 2020 Regular Board Meeting.

The Fiscal Year 2020 Financial Audit was presented at the December 15, 2020 Board Meeting for acceptance by the Board.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Danny Guzman, the Board of Trustees of South Texas College accepted the Fiscal Year 2020 Financial Audit as presented. The motion carried.

### **Review and Action as Necessary on Award of Proposals, Rescindment of Award, Purchases, and Renewals**

Approval of the following award of proposals, rescindment of award, purchases, and renewals was requested.

The Director of Purchasing reviewed each item, including the procurement procedures and evaluation of all responses, and recommends approval as follows:

Due to time constraints at the December 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on the proposed award of proposals, rescindment of award, purchases, and renewals as listed below:

**A. Award of Proposals**

- 1) Medium Duty Truck (Award):** award the proposal for a medium duty truck to **Rush Truck Centers of Texas, LP./ dba Rush Truck Center Corpus Christi** (Robstown, TX/Pharr, TX) (New), at a total amount of \$52,729.00;
- 2) Signs, Banners, and Related Products (Award):** award the proposal for signs, banners, and related products for the period beginning February 1, 2021 through January 31, 2022 with two one-year options to renew, at an estimated amount of \$50,000.00, which is based on prior year expenditures. The vendors are as follows:
  - **Ana C. Tobias / Satori Display** (McAllen, TX) (New)
  - **FedEx Office and Print Services, Inc.** (Plano, TX)
  - **Huntington Sky Production, Ltd./ dba Fastsigns** (McAllen, TX)
  - **Imprezos Pro Uniforms, LLC.** (Pharr, TX)

**B. Rescindment of Award**

- 3) Multifunction Copier Equipment and Service (Rescindment):** rescind the award to Forged Technology Solutions for the use and servicing of multifunction copier equipment as a result of the vendor's decision, prior to finalizing the terms of a lease agreement and maintenance contract, to withdraw its offer as communicated in a letter dated November 9, 2020. The reasons given include the manufacturer's equipment price increases announced after the proposal, STC's response to and conditions for vendor's request to finance the equipment purchases through a third-party lessor, which was not included in the vendor's proposal or approved by the Board, and an inability to agree on guarantees related to the number of machines, certain contract terms, and the monthly number of copies;

**C. Purchases and Renewals (C-a. Instructional Item)**

- 4) Instructional Virtual Equipment (Purchase):** purchase instructional virtual equipment from **Visual Live 3D, LLC.** (Tempe, AZ), a sole source vendor, at a total amount of \$53,400.00;

**C. Purchases and Renewals (C-b. Non-Instructional Items)**

- 5) Investment Advisory Services (Renewal):** renew the investment advisory services contract with **Valley View Consulting, LLC.** (Huddleston, VA) for the period beginning April 1, 2021 through March 31, 2022, at an estimated amount of \$67,000.00;
- 6) Networking Cabling Services for Building Renovation Projects (Renewal):** renew the networking cabling services for building renovation projects for the period beginning March 27, 2021 through March 26, 2022, at an estimated amount of \$130,000.00. The vendors are as follows:
  - **BridgeNet Communications** (Donna, TX)
  - **Telepro Communications** (Mission, TX)

**C. Purchases and Renewals (C-c. Technology Items)**

- 7) Computers and Laptops (Purchase):** purchase of computers and laptops from the State of Texas Department of Information Resources (DIR) approved vendors, **Dell Marketing, LP.** (Dallas, TX) and **Apple, Inc.** (Dallas, TX), at a total amount of \$87,913.58;
- 8) Datacenter Equipment – Servers and Switches (Purchase):** purchase datacenter equipment – servers and switches from **Netsync Network Solutions**

12/15/2020

Regular Board Meeting Minutes

(Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at a total amount of \$188,456.90;

- 9) Servers (Purchase):** purchase servers from **Dell Marketing, LP.** (Dallas, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at a total amount of \$27,966.40.

Recommend Action - The total for all award of proposals, rescission of award, purchases, and renewals was \$657,465.88.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees approved and authorized the award of proposals, rescindment of an award, purchases, and renewals totaling \$657,465.88.as presented. The motion carried.

### **Review and Action as Necessary on 2020 Tax Roll/Tax Levy for Hidalgo and Starr Counties**

Approval of 2020 Tax Roll/Tax Levy for Hidalgo and Starr Counties was requested.

Purpose – The Hidalgo County Tax Assessor-Collector and the Starr County Tax Assessor-Collector provided the 2020 Tax Roll Totals for approval by the College's governing body.

Justification - The 2020 Tax Roll/Tax Levy for Hidalgo and Starr Counties required approval from the governing body in order to be in compliance with Section 26.09 Item (e) of the Property Tax Code, which reads:

“The assessor shall enter the amount of tax determined as provided by this section in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amounts of tax entered as approved by the governing body constitutes the unit's tax roll.”

Background - Mr. Pablo “Paul” Villarreal, Jr., RTA, Assessor-Collector of Hidalgo County, and Ms. Maria Amedia Salinas, TAC, Assessor-Collector of Starr County, have entered in the appraisal roll the amount of tax determined as provided by Section 26.09 Item (e) of the Property Tax Code and have submitted to South Texas College the tax roll/tax levy totaling \$71,090,738.73.

The tax rolls for Tax Year 2019 and 2020 were as follows:

<b>Tax Year</b>	<b>Hidalgo County</b>	<b>Starr County</b>	<b>Total</b>
2020	\$66,982,283.00	\$4,108,455.73	\$71,090,738.73
2019	64,711,985.97	4,010,125.41	68,722,111.38
Increase/(Decrease)	<u>\$ 2,270,297.03</u>	<u>\$98,330.32</u>	<u>\$ 2,368,627.35</u>

12/15/2020

Regular Board Meeting Minutes



Enclosed Documents - The 2020 Tax Roll Totals documents from each county were provided in the packet for the Board's information and review.

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item. It was presented with administration's recommendation of approval.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mrs. Victoria Cantú, the Board of Trustees of South Texas College approved and authorized the 2020 Tax Roll/Tax Levy for Hidalgo and Starr Counties as presented. The motion carried.

### **Review and Action as Necessary on Appraisal District Allocated Cost Payments for Hidalgo and Starr Counties**

Approval to process payments to the Hidalgo County Appraisal District and Starr County Appraisal District for allocated cost, as described below, was requested.

Purpose – The Hidalgo County Appraisal District and the Starr County Appraisal District perform property valuation assessments for taxes imposed during the tax year. The College's allocated cost for property valuation services is provided annually.

Justification - The Hidalgo County Appraisal District and Starr County Appraisal District are considered a sole source and the College and other taxing entities are required to use their services to determine the assessed valuation of properties.

Background - Each year the chief appraiser prepares a proposed budget for the operations of the appraisal district for the following tax year. The County's Appraiser submits copies of the budget to each taxing unit participating in the district and an estimate of the amount of the budget that will be allocated to each taxing unit.

Texas Property Tax Code Chapter 6 Section 6.06 (d) Appraisal District Budget and Financing indicates that the cost is allocated as follows: "Each taxing unit participating in the district is allocated a portion of the amount of the budget equal to the proportion that the total dollar amount of property taxes imposed in the district by the unit for the tax year in which the budget proposal is prepared bears to the sum of the total dollar amount of property taxes imposed in the district by each participating unit for that year."

Each taxing unit pays its allocation in four equal payments.

The Tax Year 2020 estimated allocations, per the District's budgets, were \$696,794.00 for Hidalgo County Appraisal District and \$131,044.82 for Starr County Appraisal District, for a total of \$827,838.82. The first quarterly invoice was due by December 31, 2020 for Starr County and by February 4, 2021 for Hidalgo County.

The Tax Year 2020 allocations changed from the Tax Year 2019 allocations as follows:

<u>Tax Year</u>	<u>Hidalgo County</u>	<u>Starr County</u>	<u>Total</u>
2020	\$696,794.00	\$131,044.82	\$827,838.82
2019	649,780.00	111,265.26	761,045.26
Increase/(Decrease)	<u>\$ 47,014.00</u>	<u>\$ 19,779.56</u>	<u>\$ 66,793.56</u>

The changes were based on the new year budgets of each Appraisal District.

The Hidalgo County Appraisal District Budget increased by \$694,473 from \$9,228,046 to \$9,922,776 and the Starr County Appraisal District Budget increased by \$28,966 from \$1,718,298 to \$1,747,264.

Funding Source – Funds for these expenditures were budgeted in the Hidalgo Appraisal/Collection Fee budget and the Starr Appraisal/Collection Fee budget for FY 2020-2021.

Enclosed Documents – The 2021 allocation payments for Tax Year 2020 were provided in the packet for the Board's information and review.

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item. It was presented with administration's recommendation of approval.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized the payments to the Hidalgo County Appraisal District and the Starr County Appraisal District for the allocated cost as stated in the Texas Property Tax Code, Chapter 6, Section 6.06 (e) and as presented. The motion carried.

### ***Review and Action as Necessary to Revise Policy #4216: Freedom from Discrimination, Harassment, Sexual Misconduct, and Retaliation***

Approval to revise Policy #4216: *Freedom from Discrimination, Harassment, Sexual Misconduct, and Retaliation* was requested.

Purpose – The proposed revisions to the policy were necessary to update some statements in the policy.

Justification – The request for the revisions to this policy was necessary for the following reasons:

- To incorporate edits to strengthen compliance with the Federal Title IX Regulations, 34 C.F. R. 106, and Texas State Law, Texas Education Code Chapter

12/15/2020

Regular Board Meeting Minutes

51 (Senate Bill 212 or Subchapter E-2 and House Bill 1735 or Subchapter E-3), as recommended by Legal Counsel.

- To revise as necessary due to the resignation of staff in the Office of Institutional Equity.
- To remove duplicative and contradictory language included in other policies to strengthen consistency.
- To incorporate minor edits to clarify information to strengthen the flow of the overall policy.

This policy served as an interim policy, pending any revisions in the law resulting from a change in the U. S. government administration.

Background – Policy #4216: *Harassment, Discrimination, and Sexual Misconduct*, was approved by the Board of Trustees on May 26, 2015, and was amended in December 2015, April 2016, April 2018, August and December 2019, and July 28, 2020.

Reviewers – The revised policy as reviewed by the President's Cabinet, Administrative Staff, Planning and Development Council Staff, and by STC Legal Counsel, Mr. Jose Guerrero.

Enclosed Documents - The revised policy, along with a copy showing all the markups was provided in the packet for the Board's information and review.

The additions to the policies were highlighted in yellow and the deletions were designated with a red strikeout.

Mr. Jose Guerrero, Legal Counsel, attended the Board meeting to review the Policy and address any questions by the trustees.

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item. It was presented with administration's recommendation of approval.

Upon a motion by Dr. Alejo Salinas, Jr. and a second by Mr. Rene Guajardo, the Board of Trustees of South Texas College approved and authorized the proposed revisions to Policy #4216: *Freedom from Discrimination, Harassment, Sexual Misconduct, and Retaliation*, as presented and which supersedes any previously adopted Board policy. The motion carried.

### **Review and Action as Necessary to Revise Policy #4316: *Leave Without Pay***

Approval to revise Policy #4316: *Leave Without Pay* was requested.

Purpose – The proposed revisions to the policy were necessary to update some statements in the policy.

Justification – The request for the revisions to this policy was necessary for the following reasons:

- Establish the leave without pay approval requirements.

Background – South Texas College adopted Policy #4316: *Leave Without Pay* on November 9, 1995.

Reviewers – The revised policy as reviewed by the President's Cabinet, Administrative Staff, Planning and Development Council Staff, and by STC Legal Counsel, Mr. Jose Guerrero.

Enclosed Documents - The revised policy and the *Leave Without Pay* Request Form were provided in the packet for the Board's information and review.

The additions to the policies were highlighted in yellow and the deletions were designated with a red strikeout.

Mr. Jose Guerrero, Legal Counsel, attended the Board meeting to review the Policy and address any questions by the Board.

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item. It was presented with administration's recommendation of approval.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized the proposed revisions to Policy #4316: *Leave Without Pay* as presented and which supersedes any previously adopted Board policy. The motion carried.

### **Review and Discussion on the College's Action Plan Regarding the Change of Guidance from the Department of Education on the Use of Coronavirus Aid, Relief, and Economic Security (CARES) Act Institutional Funds**

Mary Elizondo, Vice President for Finance and Administrative Services, presented on the College's action plan regarding the change of guidance from the Department of Education on the use of Coronavirus Aid, Relief, and Economic Security (CARES) Act Institutional Funds for your review and discussion.

On June 23, 2020, the South Texas College Board of Trustees ratified the acceptance and use of the Higher Education Emergency Relief Funds (HEERF) authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act allocations received by the College.

As reviewed with the Board of Trustees on June 23, 2020, the College received Federal CARES Act funds in three formula allocations as follows:

US Department of Education (DOE), Higher Education Emergency Relief Fund (HEERF) Emergency Financial Aid Grants under the CARES (Coronavirus Aid, Relief, and Economic Security) Act:

CARES Act Student Funds – Section 18004(a)(1) 50%	\$10,011,199
<b>CARES Act Institutional Funds–Section 18004(a)(1) 50%</b>	<b><u>\$10,011,199</u></b>
Total CARES Act Section 18004(a)(1)	<u>\$20,022,398</u>
CARES Act Minority Serving Institutions – Section 18004(a)(2)	<u>\$ 1,255,089</u>
<b>Grand Total</b>	<b><u>\$21,277,487</u></b>

College staff sought and gained guidance and approval of the proper use of the **CARES Act Institutional Funds** from the Department of Education on multiple occasions prior to August 31, 2020.

On August 25, 2020, College staff requested and gained approval from the Board of Trustees to record a budget amendment necessary for posting the entries necessary to record the use of the funds.

As a result of the guidance obtained, the College used the CARES Act Institutional Funds totaling \$10,011,199 in FY 2019 – 2020 as follows:

1. Faculty Salaries and Benefits	\$8,798,672.66
2. Staff Salaries and Benefits	\$ 914,593.00
3. Personal Protective Equipment (PPE)	\$ 146,894.79
4. Other Equipment and Software	\$ 151,038.55

The expenses identified above were incurred during the period of March 16, 2020 to August 31, 2020, in Fiscal Year 2019 – 2020.

On August 31, 2020, the College drew down and received one hundred percent (\$10,011,199) of the CARES Act Institutional Funds.

On October 14, 2020, College personnel learned during a webinar held by the Department of Education on new guidance regarding the use of the CARES Act Institutional Funds that the previous guidance issued by the Department of Education and relied upon by the College may be reversed.

On November 25, 2020, after discussion with Department of Education personnel and the College's external auditors, an email correspondence was received from a Division Director at the US Department of Education indicating that "Generally the cost of existing faculty or staff members' salaries and benefits is not an allowable use of 18004(a)(1) funds. Even if those faculty or staff may be working in different settings (electronically) or

12/15/2020

through different modalities, their salaries and benefits cannot be paid using 18004(a)(1) funds, since they would have otherwise been paid by the institution had the COVID-19 pandemic not occurred. If the institution needed to hire new staff for the reduced classes or to help faculty succeed in the online environment, those new staff's salaries could be an allowable use"

On December 9, 2020, the College received a response from the Department of Education on questions posed related to the use of the CARES Act Institutional Funds. In addition, guidance was provided regarding refunding the Department of Education for CARES Act Institutional Funds drawn down for expenses deemed not eligible, such as faculty salaries and benefits. As a result, the College must refund \$6,607,106.84, (Faculty salaries and benefits \$6,857,106.84, less \$250,000 of Faculty Hybrid Course Stipends paid in FY 21), which may be re-drawn once eligible expenses are incurred. As a result of the change in guidance from the Department of Education, the action steps necessary are detailed in Exhibit A.

On December 9, 2020, the College's Executive Director for Resource Development, Management and Compliance, submitted questions to the Department of Education Program Contact, and as of December 11, 2020, responses have not been received. The questions posed related to the revised use of funds per the Department of Education guidance and as presented to the Finance, Audit, and Human Resources on December 8, 2020.

Based on the response received from the Department of Education and as reviewed with the Finance, Audit, and Human Resources Committee on December 8, 2020, the proposed use of CARES Act Institutional Funds was revised as follows:

**FY 2019 – 2020**

- Include salaries and benefits expenditures for the employees not allowed to come onto campus during the period of April 1, 2020 through April 30, 2020 due to the County's Judge's Shelter-at-Home Order. These employees were not able to work from home due to nature of work duties, lack of computer equipment, or lack of access to the College's computer system, but were available to work if contacted and asked to come onto campus. These employees were not furloughed and were paid their regular salary and benefits as follows:

⇒ Non-Exempt employees	\$ 2,725,202.44
⇒ Direct Wage employees	<u>130,956.38</u>
⇒ Total	<u><u>\$ 2,856,158.82</u></u>

- Maintain the expenses as follows:

⇒ Personal Protective Equipment (PPE)	\$ 146,894.79
⇒ Other Equipment and Software	<u>151,038.55</u>
⇒ Total expenses	<u><u>\$ 297,933.34</u></u>

FY 2019 – 2020 CARES Act Institutional Funds Total	<u><u>\$ 3,154,092.16</u></u>
--	-------------------------------

**FY 2020 – 2021 (Estimated)**

- Maintain the expenses as follows:

⇒ Faculty Hybrid Course Stipends	\$ 500,000.00
⇒ Student Emergency Aid for Spring 21	<u>6,357,106.84</u>

FY 2020 – 2021 CARES Act Institutional Funds Total	<u>\$ 6,857,106.84</u>
--	------------------------

Grand Total Expenditures FY 2019-2020 and FY 2020-2021 \$10,011,199.00

The FY 2019 – 2020 expenses were incurred and are associated with the significant changes to the delivery of instruction due to the Coronavirus. In addition, the salaries and benefits expenses were incurred to continue to pay, to the greatest extent practicable, the College employees during the period of disruptions or closures related to the Coronavirus.

The estimated FY 2020 - 2021 expenses are associated with the significant changes to the delivery of instruction due to the Coronavirus and additional emergency aid disbursements to students as a result of the Coronavirus.

The student emergency aid funds will be distributed to students enrolled in the Spring 2021 semester on a first come, first served basis at \$600 each starting immediately through the first week of the semester. The remaining funds will be disbursed in equal amounts to all qualifying students after the census date. All funds will be disbursed by the May 5, 2021, deadline. Strong student communication efforts will include emails, postcards, letters, publications, and general announcements.

Enclosed Documents – Exhibit A, Action Plan – CARES Act Institutional Funds follows in the packet for the Committee's review and information.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, presented the action plan regarding the change of guidance from the Department of Education on the use of Coronavirus Aid, Relief, and Economic Security (CARES) Act Institutional Funds at the December 15, 2020 Regular Board Meeting and was available to address questions by the Board.

No action was required from the Board. This item was presented for information and feedback to staff.

**Discussion and Action as Necessary on Unrestricted Fund, Restricted Fund, and Auxiliary Fund Budget Amendments for FY 2019 – 2020 Due to Change of Guidance from the Department of Education on the Use of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Institutional Funds**

Approval of the proposed Unrestricted Fund, Restricted Fund, and Auxiliary Fund Budget Amendments for FY 2019 – 2020 due to change of guidance from the Department of Education on the use of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Institutional Funds was requested.

Purpose - The proposed budget amendments were necessary since the College learned that the US Department of Education revised prior guidance which specifically supported the use of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding costs for faculty or staff members who were already employed by the College before the COVID-19 pandemic.

The US Department of Education recently determined that the institutional funds from the Higher Education Emergency Relief Fund (HEERF) under the Coronavirus Aid, Relief, and Economic Security CARES Act may not be used to cover these faculty and staff costs.

After additional research and discussion with the College's external auditor, College staff proposed modifying the use of the CARES Act Institutional Funds to include salaries and benefit expenditures for employees that were unable to work during the College's closure due to the County's judge Shelter-at-Home Order.

Justification – Acting under prior US Department of Education guidance, on August 25, 2020, the Board approved amendments to the Unrestricted Fund, Restricted Fund, and Auxiliary Fund Budgets for FY 2019 – 2020, so that restricted CARES Act funding could cover costs identified as eligible by the federal government at that time.

The proposed new budget amendments were necessary to correct the College's budgets based upon recent new guidance from the US Department of Education, as follows:

**Unrestricted Fund Budget for FY 2019 – 2020 (Detailed in Exhibit A):**

- Increase the Unrestricted Fund expenditure budget to cover salary, benefits, and operating costs totaling \$9,978,140.62, which were previously reclassified to the Restricted Fund as costs to be covered by CARES Act funding.
- Decrease the Unrestricted Fund Salary Budget by \$2,076,425, the Benefits Budget by \$686,991.65, and the Operating Expenditure Budget by \$297,933.34 to reflect institutional costs for employees that were unable to work during the College's closure due to the County's judge Shelter-at-Home Order.
- Decrease the Unrestricted Fund Balance Reserve Budget by \$6,916,790.01, to record this reclassification of incurred costs covered by CARES Act funding.

12/15/2020



- After this reduction of Unrestricted Fund Balance Reserve, the College will remain compliant with Policy #5350: *Unrestricted Fund Balance*, which requires that the College maintain an unrestricted fund balance sufficient to cover no less than four months of budgeted expenditures.

**Restricted Fund Budget for FY 2019 – 2020 (Detailed in Exhibit B):**

- Decrease the Restricted Fund budget by \$10,011,199, due to the reclassification of costs to the Unrestricted Fund Budget (\$9,978,140.62) and the Auxiliary Fund Budget (\$33,058.38), as described in Exhibits A and C.
- Increase the Restricted Fund Revenue and the Expenditure Budget by \$3,154,092.16 to reflect institutional costs that for employees that were unable to work during the College's closure due to the County's judge Shelter-at-Home Order.

**Auxiliary Fund Budget for FY 2019 – 2020 (Detailed in Exhibit C):**

- Increase the Auxiliary Fund expenditure budget to cover salary and benefits costs totaling \$33,058.38, which were previously reclassified to the Restricted Fund as costs to be covered by CARES Act funding.
- Decrease the Auxiliary Fund Salary Budget by \$70,096.16 and the Benefits Budget by \$22,646.01 to reflect institutional costs for employees that were unable to work during the College's closure due to the County's judge Shelter-at-Home Order.
- Increase the Auxiliary Fund Balance Reserve Budget by \$59,683.17, to record this reclassification of incurred costs.
- This change to the Auxiliary Fund Balance Reserve does not trigger any policy or other compliance concerns.

The proposed budget amendments were provided in the packet for the Board's information and review.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, presented the Proposed Unrestricted Fund, Restricted Fund, and Auxiliary Fund Budget Amendments for FY 2019 – 2020.

On December 8, 2020, the Finance, Audit, and Human Resources Committee recommended Board approval of:

- the Unrestricted Fund Budget Amendment for FY 2019 – 2020 resulting in a net \$0 change to that budget;
- the Restricted Fund Budget Amendment for FY 2019 – 2020 resulting in a net \$6,857,106.84 decrease to that budget; and,
- the Auxiliary Fund Budget Amendment for FY 2019 – 2020 resulting in a net \$0 change to that budget;

due to the proposal of the College's staff to modify the use of the CARES Act Institutional Funds to include salaries and benefit expenditures for employees that were unable to

work during the College's closure due to the County's judge Shelter-at-Home Order, as presented.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized:

- the Unrestricted Fund Budget Amendment for FY 2019 – 2020 resulting in a net \$0 change to that budget;
- the Restricted Fund Budget Amendment for FY 2019 – 2020 resulting in a net \$6,857,106.84 decrease to that budget; and,
- the Auxiliary Fund Budget Amendment for FY 2019 – 2020 resulting in a net \$0 change to that budget;

due to the proposal of the College's staff to modify the use of the CARES Act Institutional Funds to include salaries and benefit expenditures for employees that were unable to work during the College's closure due to the County's judge Shelter-at-Home Order, as presented. The motion carried.

**Discussion and Action as Necessary on Proposed Auxiliary Fund Budget Amendment for FY 2020 – 2021 to Allocate \$50,000 from the Auxiliary Fund Balance to Increase the Micro Grant Scholarship Fund in the Spring 2021 Semester**

Approval of a proposed Auxiliary Fund budget amendment for FY 2020 – 2021 to allocate \$50,000 from the Auxiliary Fund Balance to Increase the Micro Grant Scholarship Fund in the Spring 2021 Semester, was requested.

The proposed budget amendment was necessary for the following reasons:

- To allocate \$50,000 from the Auxiliary Fund Balance to increase the Carryover Fund Balance - Micro Grant Scholarship Fund Allocation, and
- To increase the STC Student Assistance Micro Grant Scholarship Fund expenditure budget to support student enrollment in the Spring 2021 semester.

The budget amendment was proposed as follows:

Budget Amendment – Allocate \$50,000 from the Auxiliary Fund Balance to Increase the Micro Grant Scholarship Fund in the Spring 2021 Semester

The proposed budget amendment would increase the total budgeted revenues and fund balance allocations and expenditures for fiscal year 2020 – 2021 as follows:

**Fiscal Year 2020 – 2021  
Summary of Proposed Amendment – Revenues and Fund Balance Allocations  
and Expenditures**

<b>Classification</b>	<b>Original Budget</b>	<b>Increase/ (Decrease)</b>	<b>Amended Budget</b>
<b>Revenues and Fund Balance Allocations</b>			
Carryover Fund Balance - Micro Scholarships	\$100,000	\$50,000	\$150,000
<b>Total Revenue and Fund Balance Allocations Increase</b>	<b>\$100,000</b>	<b>\$50,000</b>	<b>\$150,000</b>
<b>Expenditures</b>			
Institutional Scholarships	\$108,500	\$50,000	\$158,500
<b>Total Expenditures Increase</b>	<b>\$108,500</b>	<b>\$50,000</b>	<b>\$158,500</b>

A. Carryover Fund Balance – Micro Scholarships Fund Balance Allocation Budget Increase

- The Carryover Fund Balance – Micro Scholarship fund balance allocation budget would be increased by \$50,000 to increase the STC Student Assistance Micro Grant Scholarship Fund funded from the Auxiliary Fund Balance. The addition of the revenue was needed to fund the STC Student Assistance Micro Grant Scholarships that would be awarded by the College for the Spring 2021 semester.

B. Institutional Scholarship Expenditure Budget Increase

- The scholarship expenditure budget would be increased by \$50,000 from \$108,500 to \$158,500.

**Fiscal Year 2020 – 2021  
Auxiliary Fund Scholarship Expenditures**

<b>Institutional Scholarship Expenditures</b>	<b>Increase/ (Decrease)</b>
STC Student Assistance Micro Grant Scholarship	\$50,000

The fund balance for the Auxiliary Fund would decrease by \$50,000 due to the allocation of funds to increase the Micro Grant Scholarship Fund.

As a result of the proposed budget amendment, the total budgeted revenues and fund balance allocations and expenditures for fiscal year 2020 – 2021 would increase as follows:

<b>Fiscal Year 2020 – 2021</b>			
<b>Budgeted Revenues and Fund Balance Allocations and Expenditures</b>			
<b>Fund</b>	<b>FY 2021 Original Budget</b>	<b>FY 2021 Proposed Amended Budget</b>	<b>Increase/ (Decrease)</b>
Auxiliary Fund	\$3,738,722	\$3,788,722	\$50,000

The budget amendment was provided in the packet for the Board's information and review.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services presented the Proposed Budget Amendment for FY 2020 – 2021.

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item. It was presented with administration's recommendation of approval.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Rene Guajardo, the Board of Trustees of South Texas College approved and authorized the proposed Auxiliary Fund budget amendment for FY 2020 – 2021 to allocate \$50,000 from the Auxiliary Fund Balance to Increase the Micro Grant Scholarship Fund in the Spring 2021 Semester, as presented. The motion carried.

### **Discussion and Action as Necessary for Legal Services**

Mr. Jesus Ramirez, Legal Counsel, notified the College of his intention of discontinuing providing legal services to the College. He agreed to continue serving as Legal Counsel to the College until a replacement is secured. Mr. Ramirez attended the Board Meeting to discuss the process.

Under Board Policy #2200: *Legal Counsel*, the Board is able to designate legal counsel as necessary to protect the College and provide advice and representation in legal matters. The policy was provided in the packet for the Board's information and review.

South Texas College continued to grow and expand and in doing so needed to maintain adequate legal coverage in a rapidly changing environment. Legal services allow the College to manage legal risk, identify legal issues, and develop plans and programs to manage and address legal problems that may arise. The scope and volume of legal work has increased alongside the College's growth and increased accountability from state and federal agencies. Legal services include:

- Attending Board and Committee meetings
- Providing legal counsel and guidance to Board of Trustees and administrative staff on such matters as:
  - ⇒ Employment law (Review of practices regarding federal laws on discrimination, retaliation, equal opportunity, veteran's employment preference, human resources development, Title IX federal regulations)
  - ⇒ Personnel matters
  - ⇒ Development, review, and recommendation for updates of policies, including personnel policies
  - ⇒ Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RFP or RFQ document) and contract compliance
  - ⇒ Elections
  - ⇒ Texas Open Meetings Act
  - ⇒ Texas Public Information Act
  - ⇒ Construction contracts
  - ⇒ Litigation representation
  - ⇒ Tax Abatement Agreements
  - ⇒ IRS examinations
  - ⇒ Policy Drafting and Advising
  - ⇒ Legal Counsel Advising
  - ⇒ Public Information Responses
  - ⇒ Real Estate
  - ⇒ General higher education matters including, but not limited to, tort and civil liabilities.
- Other work as authorized by the Board

Mr. Ramirez served as Legal Counsel since January 2001, as member of a firm or as a sole practitioner.

In addition, Mr. Jose Guerrero, from Guerrero Law Firm, also provided legal services to the College, since January 2001, offering legal services and representation, specifically related to personnel matters.

Consideration on procurement of legal counsel services, included but were not limited to:

- Method of procurement
- Services to be provided
- Maintain the services of the existing legal counsel, Mr. Jose Guerrero, for personnel matters

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item.

The Board advised administration to begin drafting the proposed Request for Qualifications for review at the January 12, 2021 Finance, Audit, and Human Resources

12/15/2020

*Regular Board Meeting Minutes*

Committee meeting. The Board further clarified that this should be for legal services, except for personnel issues, which would remain with Mr. Jose Guerrero.

No formal action was taken.

### **Discussion and Action as Necessary on Distribution Method of Popular Annual Financial Report (PAFR)**

Approval of distribution method of the Popular Annual Financial Report (PAFR) was requested.

The Business Office completed the Popular Annual Financial Report (PAFR) for the first time. The report was not a required document, but it was considered a best practice, and it met an important need of presenting the highlights of the financial statements in a user-friendly format that simplified complex data for those without an accounting background. It was a summarized version of the College's Comprehensive Annual Financial Report (CAFR) for the last fiscal year.

Katarina Bugariu, Associate Comptroller, was available to present the Popular Annual Financial Report (PAFR).

Purpose – The Popular Annual Financial Report (PAFR) was provided for the Board's review and feedback on the distribution method.

Background –The Government Finance Officers Association (GFOA) established the Popular Annual Financial Reporting Awards Program (PAFR Program) in 1991 to encourage and assist state and local governments to extract information from their comprehensive annual financial report to produce high quality popular annual financial reports specifically designed to be readily accessible and easily understandable to the general public and other interested parties without a background in public finance and then to recognize individual governments that are successful in achieving that goal.

The Eligibility Requirements and the Judging Process are as follows:

- Eligibility Requirements - The program is open to submissions from any type of government at either the state or local level that makes available to the general public a popular annual financial report in either an electronic or hardcopy format. Submissions must be received within six (6) months of the end of the fiscal year.

Governments that wish to participate in the PAFR program must comply with the following:

- 1) submit the Comprehensive Annual Financial Report (CAFR) to the GFOA's Certificate of Achievement for Excellence in Financial Reporting for the current fiscal year

- 2) ultimately receive the GFOA's Certificate of Achievement for Excellence in Financial Reporting for the current fiscal year
- Judging Process – The judges evaluation form comprises five categories that are given varying weights of importance toward the overall final grade reader appeal (10%), understandability (25%), distribution methods (7.5%) and other (e.g., creativity, notable achievement) (7.5%). The remaining 50% of the score is based upon overall quality and usefulness of the report, taking into consideration the four previous categories.

Distribution – The target audience for this report is members of our community, donors, grantors, vendors and partners. Management proposed printing 600 copies, and providing 25 copies to each member of the Board of Trustees to distribute as necessary, and the rest of the copies would be distributed by the College executive team and administrators, and submitted to grantors and other stakeholders.

Enclosed Documents – The Draft of the Popular Annual Financial Report (PAFR) for the Fiscal Year Ended August 31, 2020 and a PowerPoint was provided in the packet for the Board's information and review.

Mary Elizondo, Vice President Finance and Administrative Services, and Katarina Bugariu, Associate Comptroller, attended the Board meeting to address any questions by the Board.

The Board opined that the distribution of printed copies could be cost prohibitive, and advised administration to emphasize distribution of the Popular Annual Financial Report (PAFR) through the College's website.

Administration clarified that the printed distribution had been planned as part of the GFOA's program, and would be evaluated by the GFOA in determining potential recognition of the College's financial transparency.

Mr. Paul R. Rodriguez opined that the information within the PAFR is important, but determined that the GFAO award was not a priority, and fellow trustees agreed.

Due to time constraints at the Dec. 8, 2020 meeting, the Finance, Audit, and Human Resources Committee did not make a recommendation on this item. It is presented with administration's recommendation of approval of a distribution method, as presented.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized the distribution of the Popular Annual Financial Report (PAFR) to emphasis electronic distribution, with a focus on the College's website as discussed. The motion carried.

### **Presentation on Artwork on the Entrance Wall at the Regional Center for Public Safety Excellence**

Administration was pleased to share with the Facilities Committee the artwork installed under direction of the City of Pharr on the entrance wall at the Regional Center for Public Safety Excellence (RCPSE).

During the planning process for the facility, it was agreed the entrance walls would be designated for use by the College and the City of Pharr. The City of Pharr chose to commemorate the partnerships associated with the RCPSE facility and the importance of public safety work.

The City of Pharr commissioned artist Mrs. Yoli Cantu, owner of McAllen Stained Glass, to create glass art pieces representing the entities involved with the RCPSE, worked with Noble Texas Builders to install the artwork on the north wall of the entry lobby, and covered all costs associated with the installation of the artwork.

South Texas College and the City of Pharr would like to host a live event to commemorate the installation of this beautiful representation of our important partnerships at the RCPSE. Due to the ongoing COVID-19 pandemic, no live gathering can be planned on site at this time; however, an appropriate event will be scheduled in coordination with the City of Pharr as soon as it can be safely accommodated.

The packet included photos of the artwork for the Board's viewing and information.

No action was requested. This item was presented for the Board's information.

### **Update on Status of Wayfinding Signage at the Nursing and Allied Health Campus and Higher Education Center – La Joya**

On November 26, 2019, the Board authorized the installation and procurement of the Nursing and Allied Health Campus (NAHC) West Entry Sign, along with the addition of additional vehicular wayfinding signs on the campus. On July 23, 2019, the Board authorized the installation of exterior signage at the Higher Education Center – La Joya (HECLJ).

On October 27, 2020, the Board approved final completion of the NAHC west entry sign. The additional vehicular wayfinding signage included in the exterior signage projects at both the NAHC and the HECLJ were installed and verified by College staff.

The Board packet included photos of the installed wayfinding signage.

No action was requested. This item was presented for the Board's information.



## **Review and Action as Necessary on Architectural Fee Adjustment for Pecan Campus Information Technology Building M Office and Work Space Renovation**

Approval to amend the current architectural agreement with Boultinghouse Simpson Gates Architects (BSGA) to adjust the architectural fee based on the final construction cost for the Pecan Campus Information Technology Building M Office and Work Space Renovation project was requested.

### **Purpose**

Authorization was requested to amend the current architectural agreement with BSGA to adjust their architectural fee based on the final construction cost for the Pecan Campus Information Technology Building M Office and Work Space Renovation.

### **Scheduling Priority**

This project was submitted in 2018 by the IS&P Division and was reviewed by the FPC department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as a non-educational space improvement to accommodate staff from the Institutional Research & Effectiveness and Research & Analytical Services departments that would be relocated from the Pecan Plaza Human Resources Building A.

### **Justification**

The Architect was compensated based on a percentage of the Construction Budget, and compensation adjustments may be necessary once the construction costs are finalized.

### **Background**

The current architectural agreement with BSGA for the Pecan Campus Information Technology Building M Office and Work Space Renovation stated an additional fee is required if the final construction cost exceeded the Owner's original budget for the Cost of Work.

The original construction budget in FY 18-19 for the project was \$320,000, and the fee was negotiated at 9.25%, for a total of \$29,600. The architect provided an updated construction cost estimate of \$415,000 during the schematic design phase. The College updated the construction budget to \$420,000 which was included as part of the FY19-20 Unexpended Construction Plant Fund budget. On March 31, 2020, the Board of Trustees approved contracting construction services with Noble Texas Builders, LLC in the amount of \$389,600. The total project cost was \$389,089 which included a deductive change order of \$511.

BSGA requested an additional fee of \$6,390.73, which would result in an adjusted fee of \$35,990.73. The total revised fee, including the reimbursable expenses of \$925.00, was \$36,915.73, including additional services.

The information is summarized below:

Original Fee:	\$29,600.00
Additional Fee:	6,390.73
Subtotal:	\$35,990.73
Reimbursable Expenses:	925.00
<b>Total Revised Fee</b>	<b>\$36,915.73</b>

Board approval was necessary to amend the current architectural agreement with BSGA to a revised fixed fee of \$36,915.73. No additional costs were anticipated for this project.

### **Funding Source**

Funds for the Pecan Campus Information Technology Building M Office and Work Space Renovation Project 2018-014C were budgeted in the FY 2020-2021 Unexpended Construction Plant Fund.

The Facilities Committee recommended Board approval to amend the current architectural agreement with BSGA for the Pecan Campus Information Technology Building M Office and Work Space Renovation project to a revised fixed fee of \$36,915.73.

Upon a motion by Mr. Gary Gurwitz and a second by Mr. Paul R. Rodriguez, the Board of Trustees of South Texas College approved and authorized amending the current architectural agreement with BSGA for the Pecan Campus Information Technology Building M Office and Work Space Renovation project to a revised fixed fee of \$36,915.73. The motion carried.

### **Review and Action as Necessary on Approval of Substantial Completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation**

Approval of substantial completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation Project was requested.

<b>Project</b>		<b>Completion Recommended</b>	<b>Date Received</b>
1.	Pecan Campus Information Technology Building M Office and Work Space Renovation Project No. 2018-014C  Architect: Boultinghouse Simpson Gates Architects, Inc. Contractor: Noble Texas Builders, LLC	Substantial Completion Recommended	November 23, 2020

This project was reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as a non-educational space improvement to accommodate staff from the Institutional Research & Effectiveness and

12/15/2020

Research & Analytical Services Departments that will be relocated from the Pecan Plaza Human Resources Building A.

College staff visited the site and developed a construction punch list on November 23, 2020. A Certificate of Substantial Completion was issued. Substantial Completion was accomplished within the time allowed in the Owner/Contractor agreement for this project by Noble Texas Builders, LLC. The original contractor's cost approved for this project was \$389,600.

The following table summarizes the current budget status:

Pecan Campus Information Technology Building M Office and Work Space Renovation						
Original Owner's Estimated Construction Budget FY 18-19	Updated Construction Budget FY 19-20	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$320,000.00	\$420,000.00	\$389,600.00	(\$511.00)	\$389,089.00	\$350,250.58	\$38,838.42

#### **Enclosed Documents**

A copy of the Substantial Completion Certificate and photos was provided for the Board's review and information.

The Facilities Committee recommended Board approval of substantial completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation Project as presented.

Upon a motion by Mr. Gary Gurwitz and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized the substantial completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation Project as presented. The motion carried.

### **Review and Action as Necessary on Approval of Substantial Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas**

Approval of substantial completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project was requested.

Project		Completion Recommended	Date Received
1.	Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project No. 2019-009C  Architect: Rike Ogden Figueroa Alex Architects, Inc. Contractor: Noble Texas Builders, LLC	Substantial Completion Recommended	November 25, 2020

This project was reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as a noneducational space improvement to relocate Student Services department staff and Cashiers department staff.

College staff visited the site and developed a construction punch list on November 25, 2020. A Certificate of Substantial Completion was issued. Substantial Completion was accomplished within the time allowed in the Owner/Contractor agreement for this project by Noble Texas Builders, LLC. The original contractor's cost approved for this project was \$246,745.

The following table summarizes the current budget status:

Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas					
Construction Budget	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$200,000.00	\$246,745.00	\$3,829.00	\$250,574.00	\$186,343.45	\$64,230.55

### Enclosed Documents

Photos of the completed work were provided for the Board's review and information.

The Facilities Committee recommended Board approval of substantial completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project as presented.

Upon a motion by Mr. Gary Gurwitz and a second by Dr. Alejo Salinas, Jr., the Board of Trustees of South Texas College approved and authorized the substantial completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project as presented. The motion carried.

## **Review and Action as Necessary on Approval of Substantial Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive**

Approval of substantial completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project was requested.

<b>Project</b>		<b>Completion Recommended</b>	<b>Date Received</b>
1.	Mid Valley Campus Drainage Improvements Phase I (Project No. 2019-047R) and Asphalt Resurfacing for the Northwest Drive (Project No. 2018-019R)  Engineer: Perez Consulting Engineers Contractor: McAllen Multi-Service	Substantial Completion Recommended	November 23, 2020

This project was reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as an exterior Renewal & Replacement project to address drainage concerns and maintain a parking lot and drive on campus. The proposed drainage improvements would be critical to avoid potential flooding on campus in preparation for future hurricane or rain events.

College staff visited the site and developed a construction punch list on November 23, 2020. A Certificate of Substantial Completion was issued. Substantial Completion was accomplished within the time allowed in the Owner/Contractor agreement for this project by McAllen Multi-Service. The original contractor's cost approved for this project was \$480,228.

The following table summarizes the current budget status:

<b>Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive</b>					
<b>Construction Budget</b>	<b>Approved Proposal Amount</b>	<b>Net Total Change Orders</b>	<b>Current Project Cost</b>	<b>Previous Amount Paid</b>	<b>Remaining Balance</b>
\$520,000.00	\$480,228.00	\$19,151.43	\$499,379.43	\$448,351.14	\$51,028.29

### **Enclosed Documents**

A copy of the Substantial Completion Certificate and photos was provided for the Board's review and information.

The Facilities Committee recommended Board approval of substantial completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project as presented.

12/15/2020

*Regular Board Meeting Minutes*

Upon a motion by Mr. Gary Gurwitz and a second by Mr. Paul R. Rodriguez, the Board of Trustees of South Texas College approved and authorized the substantial completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project as presented. The motion carried.

### **Update on Status of Unexpended Plant Fund Construction and Renewals & Replacements Projects**

The Facilities Planning and Construction staff prepared the attached design and construction update. This update summarizes the status of each capital improvement and renewals & replacements project currently in progress. Mary Elizondo and Rick de la Garza were available to respond to questions and address concerns of the Board.

### **Consideration and Approval of Checks and Financial Reports**

Board action was requested to approve the checks for release and the financial reports for the month of November 2020. The approval was for checks submitted for release in the amount greater than \$125,000.00 and checks in the amount greater than \$25,000.00 that were released as authorized by Board Policy No. 5610.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, provided a review of the Financial Report for the month of **November 2020**, and was available to respond to questions posed by the Board.

The checks and the financial reports submitted for approval were included in the Board packet under separate cover.

Upon a motion by Mr. Paul R. Rodriguez and a second by Dr. Alejo Salinas, Jr., the Board of Trustees approved and authorized the submitted checks for release in an amount over \$125,000.00, the checks that were released as authorized by Board Policy #5610, and the financial reports submitted for the month of November 2020. The motion carried.

### **Executive Session:**

The South Texas College Board of Trustees convened into Executive Session at 7:04 p.m. in accordance with Chapter 551 of the Texas Government Code for the specific purpose provided in:

- Section 551.071, Consultation with Legal Counsel
- Section 551.074, Personnel Matters

1. Discussion and Action as Necessary on Presidential Search Protocols

2. Discussion and Action as Necessary on the Appointment of Dr. David Plummer as Interim President Effective Monday, January 4, 2021
3. Update and Action as Necessary Regarding Pending Litigation

### **Open Session:**

The South Texas College Board of Trustees returned to Open Session at 8:03 p.m. No action was taken in Executive Session.

### **Discussion and Action as Necessary on Presidential Search Protocols**

South Texas College is preparing for a presidential search. The Board was asked to take action as necessary on the presidential search protocols.

No action was taken.

### **Discussion and Action as Necessary on the Appointment of Dr. David Plummer as Interim President Effective Monday, January 4, 2021**

On December 8, 2020, the Board of Trustees appointed Dr. David Plummer as Interim President, effective Monday, January 4, 2021, to serve until the start date for the next President of South Texas College.

The Board was asked to take any action as necessary regarding this appointment.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mr. Rene Guajardo, the Board of Trustees of South Texas College approved and authorized Dr. David Plummer be provided a stipend as discussed in executive session, for his duties as interim President effective Monday, January 4, 2021, to serve until the start date for the next President of South Texas College. The motion carried.

### **Update and Action as Necessary Regarding Pending Litigation**

Mr. Eduardo Garza from Esparza & Garza, L.L.P., provided an update to the Board on pending legal action taken against the College:

- a. Cause No. C-0959-18-G; Cynthia V. Arriola vs. South Texas College

Legal action was taken against the College by Cynthia V. Arriola. The lawsuit was submitted to the College's insurance carrier, TASB. TASB assigned Eduardo Garza from Esparza & Garza, L.L.P to handle the case.

b. Cause No. CL-20-3895-D; Rolando Villagran vs. South Texas College

Legal action was taken against the College by Rolando Villagran. The lawsuit was submitted to the College's insurance carrier, TASB. TASB assigned Eduardo Garza from Esparza & Garza, L.L.P to handle the case.

No action was taken.

## **Announcements**

### **Announcements**

#### **A. Next Meetings:**

- Tuesday, January 12, 2021
  - 3:30 p.m. – Education and Workforce Development Committee
  - 4:30 p.m. – Facilities Committee
  - 5:30 p.m. – Finance, Audit, and Human Resources Committee
- Tuesday, January 26, 2021
  - 5:30 p.m. – Regular Board Meeting

#### **B. Other Announcements:**

- The College will be closed from Thursday, December 17, 2020, through Sunday, January 3, 2021, in observance of Winter Break.
- The College will be closed on Monday, January 18, 2021, in observance of Martin Luther King, Jr. Day

## **Adjournment**

There being no further business to discuss, the Regular Meeting of the South Texas College Board of Trustees adjourned at 8:06 p.m.

I certify the foregoing are the true and correct minutes of the Tuesday, December 15, 2020 Regular Board Meeting of the South Texas College Board of Trustees.

X\_\_\_\_\_

Mrs. Victoria Cantú  
Board Secretary



**SOUTH TEXAS COLLEGE  
BOARD OF TRUSTEES SPECIAL MEETING  
Tuesday, January 12, 2020 @ 5:30 p.m.  
Ann Richards Administration Building Board Room  
Pecan Campus, McAllen, Texas 78501**

**Minutes**

**Call Meeting to Order:**

The Special Board Meeting of the South Texas College Board of Trustees was held on Tuesday, January 12, 2021 in the Ann Richards Administration Building Board Room at the Pecan Campus in McAllen, Texas. The meeting commenced at 5:32 p.m. with Ms. Rose Benavidez presiding.

Ms. Benavidez announced that specific precautions had been taken due to the COVID-19 / novel coronavirus outbreak, which had prompted local, state, and federal officials to declare states of emergency and outline recommended safety precautions for the conduct of essential business.

These precautions included:

- Recommendation for public use of the live broadcast in lieu of in-person attendance;
- Trustees were encouraged to attend in person or participate by conference call, as their personal circumstances dictated.

Members present: Dr. Alejo Salinas, Jr., Mr. Paul R. Rodriguez, and Mr. Danny Guzman were present; Ms. Rose Benavidez, Mrs. Victoria Cantú, Mr. Gary Gurwitz, and Mr. Rene Guajardo participated by teleconference.

Members absent: None

Also present: Dr. David Plummer, Mr. Jesus Ramirez, Mrs. Mary Elizondo, and Mrs. Laura Requena, Mr. Andrew Fish.

**Determination of a Quorum**

A quorum was present and a notice of the meeting was posted.

**Chair Appointment of Board Committee Chairs and Committee Members**

- a. Education and Workforce Development Committee
- b. Facilities Committee
- c. Finance, Audit, and Human Resources Committee

Policy # 1110: *Board Committees* designates the three (3) committees of the Board:

- Education and Workforce Innovation
- Finance and Human Resources
- Facilities

The Chair may, from time to time as deemed necessary, create committees to advise the Board and facilitate the efficient operation of the Board. Their membership is to be established by action of the Chair. A committee that includes one or more Trustees is subject to the Open Meetings Act when it meets to discuss public business or policy. *Atty. Gen. Op. No. JM-1072 (1989)*.

The membership and appointment of Committee Chairs is established by action of the Board Chair.

Chair Rose Benavidez made the following Committee appointments:

**Education and Workforce Development Committee**

Committee Chair: Mrs. Victoria Cantú

Committee Members: Mr. Danny Guzman & Mr. Paul R. Rodriguez

**Finance, Audit, and Human Resources Committee**

Committee Chair: Mr. Rene Guajardo

Committee Members: Mr. Paul R. Rodriguez and Dr. Alejo Salinas, Jr.

**Facilities Committee**

Committee Chair: Dr. Alejo Salinas, Jr.

Committee Members: Mr. Gary Gurwitz and Ms. Rose Benavidez

Chair Benavidez reiterated that all trustees, regardless of Committee membership, were invited to attend and participate in deliberation at all Committee meetings, though only members could vote on motions before the Committee.

### **Discussion and Action as Necessary to Ratify Acceptance of Texas Higher Education Coordinating Board, Texas Reskilling Support Fund Grant Program, in the Amount of \$112,500**

On December 14, 2020, the College received notification of a grant award from the Texas Higher Education Coordinating Board (THECB), for the Texas Reskilling Support Fund Grant Program. This \$112,500 grant would support the Continuing Professional and Workforce Education (CPWE) and Industry Training and Economic Development (ITED) departments serve up to 75 students in high value workforce education programs, including:

- Emergency Medical Responder,
- Medical Billing and Coding Specialist,
- Certified Nurse Assistance,
- Certified Robot Operator, and
- CNC Machine Operator

The notification of the award came in after the agenda had been published, and was not able to be presented to the Board on December 15, 2020.

On December 18, 2020, the THECB asked Dr. David Plummer to commit South Texas College's acceptance of the grant, in support of their planned press release on the supported partnerships. Dr. Plummer conferred with Chair Benavidez, and emailed the Board of this request by the THECB. Having received supportive messages and no concerns, Dr. Plummer accepted the THECB Texas Reskilling Support Fund Grant Program, in the amount of \$112,500, and pending ratification from the Board of Trustees.

The Board was asked to ratify the acceptance of the Texas Higher Education Coordinating Board, Texas Reskilling Support Fund Grant Program, in the amount of \$112,500.

Funding from this grant would be utilized by the departments of Continuing, Professional and Workforce Education (CPWE) and Industry Training and Economic Development (ITED) to provide up to 75 students with support for funding and fees in high value workforce credential programs such as Emergency Medical Responder, Medical Billing and Coding Specialist, Certified Nurse Assistant, Certified Robot Operator, and CNC Machine Operator. The funding period was from January 4, 2021 to December 31, 2021.

South Texas College's outreach plan would include referrals by Workforce Solutions and targeted advertisements using social media and news outlets, as well as community organizations.

This award aligned to Strategic Direction #1, Lead Community Engagement by aligning educational opportunities with community and workforce needs.

Upon a motion by Mr. Paul R. Rodriguez and a second by Mrs. Victoria Cantú, the Board of Trustees of South Texas College ratified the acceptance of the Texas Higher Education Coordinating Board, Texas Reskilling Support Fund Grant Program, in the amount of \$112,500 as presented. The motion carried.

### **Discussion and Action as Necessary on Acceptance of CARES Act Additional Funding, in the Amount of \$11,550**

Authorization was requested to accept additional funds in the amount of \$11,550 for the period of June 8, 2020 to June 7, 2021. Funds would be used to assist students with their cost of attendance, including food, housing, course materials, technology, health care, and child care.

Notification of these additional funds was received in early January 2021, and Board approval was requested at the January 12, 2021 Special Board Meeting to allow administration to begin utilizing these funds for students enrolling in the Spring 2021 semester.

The college administration would use these funds to establish two separate grant-supported scholarship funds to support eligible students with micro-scholarships to cover qualified expenses.

Additional Funds would increase the awarded amount to \$1,266,639. This allocation was managed by the Division of Student Affairs and Enrollment Management. Vice President Mathew Hebbard serves as the Project Director for this federal award and Miguel Carranza is the Financial Manager.

Upon a motion by Dr. Alejo Salinas, Jr. and a second by Mr. Rene Guajardo, the Board of Trustees of South Texas College approved and authorized acceptance of CARES Act additional funding in the amount of \$11,550 as presented. The motion carried.

### **Executive Session:**

The South Texas College Board of Trustees convened into Executive Session at 5:39 p.m. in accordance with Chapter 551 of the Texas Government Code for the specific purpose provided in:

- Section 551.071, Consultation with Legal Counsel
- Section 551.074, Personnel Matters

1. Discussion and Action as Necessary on Presidential Search Protocols

### **Open Session:**

The South Texas College Board of Trustees returned to Open Session at 6:20 p.m. No action was taken in Executive Session.

### **Discussion and Action as Necessary on Presidential Search Protocols**

South Texas College was preparing for a presidential search. The Board was asked to take action as necessary on the presidential search protocols.

No action was taken.

### **Adjournment**

There being no further business to discuss, the Special Meeting of the South Texas College Board of Trustees adjourned at 6:21 p.m.

I certify the foregoing are the true and correct minutes of the Tuesday, January 12, 2021 Special Board Meeting of the South Texas College Board of Trustees.

X\_\_\_\_\_

Board Secretary

## **Approval and Authorization to Accept Grant Awards and Agreements**

Authorization to accept and approve the following grant awards, including the use of related funds and execution of related agreements as necessary for each grant, is requested:

**1. US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Emergency Financial Aid Grants to Students under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021, in the amount of \$10,011,199**

This allocation of \$10,011,199 will be used for student support. Initial guidance provided that these funds may be used to provide emergency financial aid grants to students, which can be used for any component of the student's cost of attendance or for emergency costs that arise due to coronavirus, such as tuition, food, housing, health care (including mental health care), or child care.

Due to differences between the CRRSAA and the CARES Act, as well as expected changes in US Department of Education leadership with the new administration, the College will solicit federal guidance to clarify eligibility requirements and ensure any proposed plan for these funds is compliant with the program requirements.

College administration will prepare a presentation for the Board or a Board Committee to review program requirements and recommended distribution plans.

This allocation will be managed by the Division of Student Affairs and Enrollment Management Services. Vice President, Mathew Hebbard, serves as the Project Director for this federal award. The federal funding period for this award was initially announced as April 25, 2020 to April 24, 2021; however, the US Department of Education has notified the College that the award end date will be changed with future guidance.

**2. US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Institutional Portion under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021, in the amount of \$32,178,403**

This allocation of \$32,178,403 will be used for institutional support to defray expenses associated with the pandemic. Initial guidance provided that these funds may be used to defray expenses associated with coronavirus, including:

- lost revenue;
- reimbursement for expenses already incurred;
- technology costs associated with transition to distance education;
- faculty and staff trainings and payroll); and
- student support activities and additional financial aid grants to students.

Due to differences between the CRRSAA and the CARES Act, as well as expected changes in US Department of Education leadership with the new administration,

the College will solicit federal guidance to clarify qualified expense requirements and ensure any proposed plan for these funds is compliant with the program requirements.

College administration will prepare a presentation for the Board or a Board Committee to review program requirements and recommended plans for the allocation of these funds.

This allocation will be managed by the Division of Finance and Administrative Services. Vice President, Mary G. Elizondo, serves as the Project Director for this federal award. The federal funding period for this award was initially announced as May 6, 2020 to May 5, 2021; however, the US Department of Education has notified the College that the award end date will be changed with future guidance.

**3. Texas Higher Education Coordinating Board (THECB), Carl D. Perkins Basic Grant, Additional Funds (Reallocation) in the amount of \$257,649.20**

The purpose of the Carl D. Perkins Basic Grant is to improve graduation, retention, access, quality, and to provide for the expansion of Career and Technical Education (CTE) programs. These funds are to be used for instructional resources and equipment for CTE programs.

With this reallocation, the Perkins Basic Grant award for this funding period totals to \$2,063,434. The funding period is from September 1, 2020 to August 31, 2021.

This award aligns with Strategic Direction #3, Create Educational Opportunities for Students, by providing students with opportunities in career and technical education, including extensive support to complete programs successfully.

**4. Any Additional Grant(s) Pending Official Award Summary of Grant Award Funding**

The presented grants will provide up to \$42,447,251.20 in funding for the college to provide services and opportunities throughout the region.

**HEERF II Guidelines**

The guidelines for the use of HEERF II funds differ from the CARES Act Funds previously received by the Colleges. For example, Institutional Funds may now be used to fund lost revenue, which was not the case for the previously issued CARES Act Funds. In addition, in some cases the new guidelines apply to the unexpended CARES Act Funds.

Administration will review the new guidelines to determine the appropriate use of these funds.

**Recommendation:**

It is recommended the Board of Trustees approve and authorize accepting the following grant awards including the use of related funds and execution of related agreements as necessary for each grant, contingent upon official award as appropriate.

1. US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Emergency Financial Aid Grants to Students under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021 in the amount of \$10,011,199
2. US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Institutional Portion under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021, in the amount of \$32,178,403
3. Texas Higher Education Coordinating Board (THECB), Carl D. Perkins Basic Grant, Additional Funds (Reallocation) in the amount of \$257,649.20

**The following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of South Texas College approves and authorizes accepting the following grant awards, including the use of related funds and execution of related agreements as necessary for by each grant, contingent upon official award as appropriate:

1. US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Emergency Financial Aid Grants to Students under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021 in the amount of \$10,011,199
2. US Department of Education, Higher Education Emergency Relief Fund II (HEERF II) Institutional Portion under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021, in the amount of \$32,178,403
3. Texas Higher Education Coordinating Board (THECB), Carl D. Perkins Basic Grant, Additional Funds (Reallocation) in the amount of \$257,649.20

**Approval Recommended:**

**David Plummer, M.B.A., Ed.D.**  
**Interim President**



## **Discussion and Action as Necessary to Approve Engagement of Association of Community College Trustees (ACCT) to Assist with the Presidential Search**

On Tuesday, November 17, 2021, the Board of Trustees of South Texas College accepted the retirement of Dr. Shirley A. Reed, Founding President, effective Monday, January 4, 2021.

ACCT's services are available as outlined in the following proposal, at a cost of \$45,000, to include a comprehensive, full-service search and provision of services as outlined in the proposal included in the following pages. Certain search-related costs, such as travel and advertising expenses, would be incurred and paid directly by the College, as is the normal process for executive searches. Legal counsel has reviewed and sees no issues with the proposed contract.

With nearly 50 years of experience and having successfully completed over 500 searches for chief executive officers for community college across the nation, ACCT offers nation-leading expertise and understanding of the best practices to work with the Board throughout the process, including:

- Search Organization and Planning
- Search Committee Development
- Institutional Analysis and Profile Review
- Marketing and Advertising Strategy
- Recruitment of Candidate Pool
- Facilitation of Application Review by Search Committee Members
- Candidate Evaluation and Screening
- Facilitation of Appointment

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the engagement of ACCT, at a cost of \$45,000, to assist with the presidential search as presented.

### **The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees approves and authorizes the engagement of ACCT, at a cost of \$45,000, to assist with the presidential search as presented.

### **Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**



## **DRAFT – Presidential Search Timeline: South Texas College**

<b>February 17, 2021</b>	ACCT Search Consultant facilitates a series of virtual Open Forums (Administrators, Staff, Faculty, Students, Community members invited to attend) to solicit feedback to inform the development of the draft Presidential Profile. [Electronic survey distributed to solicit feedback to assist with the development of the Presidential Profile is distributed approximately 2 weeks prior to this date.]
<b>February 24, 2021</b>	<b>Presidential Search Committee Meeting #1:</b> Virtual training and Orientation; Committee receives Draft Presidential Profile and reviews and edits the draft Presidential Profile (3 – 4 hour meeting). Special or Regular Board meeting to discuss, edit and finalize the Presidential Profile.
<b>February 26, 2021</b>	Presidential Profile is posted on STC and ACCT websites. ACCT and Search Consultant conduct targeted local, state-wide and national one-to-one recruitment of highly competitive and diverse candidates. Advertisements placed.
<b>March 29, 2021</b>	<b>Target Date for Receipt of Applications.</b> Position open until filled.
<b>March 30 – April 8, 2021</b>	Presidential Search Committee members review confidential applications independently through ACCT’s secure web portal.
<b>April 9, 2021</b>	<b>Presidential Search Committee Meeting #2:</b> Presidential Search Committee meets to discuss and select 7 – 9 confidential semifinalists. (5 – 6 hour meeting); Virtual or in-person.
<b>April 22 - 23, 2021</b>	<b>Search Committee Meeting #3:</b> Presidential Search Committee meets for confidential interviews of semifinalists. (Two-day Interview process via video or in-person). Search Committee deliberates and selects 3 - 5 finalists and forwards recommendations to Board of Trustees.
<b>Week of May 3, 2021</b>	Finalists visit the College for tours, participate in public forums, meet with Direct Reports, etc. Finalists will interview with the full Board of Trustees. During deliberations, ACCT provides oral in-depth reference reports on final candidates.
<b>Week of May 10, 2021</b>	Board visits #1 candidate’s institution (optional, but highly recommended). ACCT facilitates final negotiations. New President of South Texas College is announced.
<b>July 1, 2021 or TBD</b>	Start date for next President of South Texas College.

AGREEMENT between the  
Association of Community College Trustees  
and  
South Texas College

The Association of Community College Trustees (“ACCT”) agrees to provide comprehensive search services to assist the Board of Trustees (“Board”) of South Texas College (“College”), TX in its search for a new President.

The process will begin on or about January 26, 2021.

Services to be provided by ACCT staff/consultant(s) include: candidate recruitment, processing of candidate applications, In-Depth Summary Reference Reports on up to three final candidates (presented orally), technical assistance, and preparation of candidate review materials. The College has the option of Consultant facilitation of meetings and interviews via interactive video teleconference sessions. For on-site visits (up to three visits) by the Consultant to facilitate meetings in-person, the College agrees to directly pay the Consultant’s travel expenses. In-depth Summary Reference Reports on more than three final candidates will be billed at a rate of \$1,300/candidate, plus teleconference and overnight mail charges. The Board has the option to request additional on-site visits by the Consultant at \$3,000 per visit (plus Consultant travel expenses). Any goods or services purchased independently by the College in furtherance of the search, including, but not limited to, advertising position announcements, profile brochure/letter regional mailings, etc., are not included in the search services fee and are the sole responsibility of the College.

All individuals involved in the process of selecting the President of South Texas College are expected to honor the Confidentiality Policies (attached as page 3 of this Agreement) and to respect the confidentiality of the candidates’ personal and professional goals and current positions.

Either party may cancel this agreement with a thirty- (30) days notice to the other party. If instituted, the College would reimburse only those charges incurred by ACCT on behalf of the College up to that point in time.

**INDEMNITY AND HOLD HARMLESS, THIRD PARTY LITIGATION.** To the extent allowed by law and notwithstanding anything herein to the contrary, each party shall defend, indemnify, and hold the other party, its directors, officers, agents, representatives, employees and assigns (herein referred to cumulatively as “Indemnitees”), harmless from and against claims for bodily injury or death to any person and damage to property of Indemnitees or others and all reasonable costs and expenses (including without limitation court costs, accountant’s fees and expert fees) to the extent the same is caused by the intentional or negligent action or negligent inaction of such party, its directors, officers, agents, representatives, employees and assigns. The foregoing indemnity shall not be construed to indemnify any Indemnitee to the extent that any claim or expense is caused by the Indemnitee’s negligent action or negligent inaction.

**MANDATORY ARBITRATION.** All disputes concerning the terms of this Agreement or claims by either party pursuant to this Agreement, including but not limited to termination of this Agreement, are subject to and shall be submitted to mandatory arbitration under the auspices of the American Arbitration Association. The Commercial Rules as they exist at the time of the dispute or claim shall apply. Venue for

the Arbitration shall be the District of Columbia. Each party shall be individually responsible for its pro rata share of the costs of Arbitration including Arbitration fees.

**FEES.** The ACCT search fee is \$45,000. Travel expenses and any other additional search expenses are to be paid directly by the College. The search fee is to be paid in two increments, as follows: \$22,500 to be invoiced by March 17, 2021 and \$22,500 to be invoiced by June 17, 2021. Any remaining balance (e.g. additional site visit fees) is to be paid upon completion of all services as per above Agreement.

**South Texas College**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

**Association of Community College Trustees**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

AGREEMENT between  
South Texas College  
and the  
Association of Community College Trustees

**CONFIDENTIALITY POLICIES**

**All individuals involved in the process of selecting the President of South Texas College are expected to honor the following policies and to respect the confidentiality of candidates' personal and professional goals and current position.**

1. The College is committed to conducting an open and equitable search process that conforms to the College's EEO regulations, and to meet the spirit of EEO, as well as the legal requirements of the state.
2. The official spokesperson for the search is the Board Chair or the Chair of the Board Presidential Search Committee. Other individuals should not discuss the search with members of the press or College constituency groups. Regular progress reports will be sent to all interested groups and the media.
3. All candidate files are considered confidential and must be maintained and reviewed in a manner that ensures that candidates' identities are not divulged.
4. Information on whether or not an individual is a candidate and candidates' status at each stage of the search is considered confidential.
5. All information contained in semifinal and final candidates' background and reference reports is considered confidential.
6. The identity of candidates is not to be divulged to the press, to members of College constituency groups, and to the community, unless and until the candidates are invited to come to the College for open interviews as final candidates.

## **Review of Presentation to the Education and Workforce Development Committee:**

The following items were presented to the Education and Workforce Development Committee on Tuesday, January 12, 2021:

### **1. Presentation on Student Activities and Wellness: Student Engagement During the Pandemic**

Mr. Elibariki Nguma, Director of Student Activities and Wellness, delivered a presentation on the operations of his department during the pandemic.

Mr. Nguma covered a number of vital functions his team supports to promote student orientation, engagement, and success, including:

- First Year Connection Orientation
- Student Events
- Student Leadership Academy
- Student Government Association
- Student Organizations
- Intramural Sports
- Student Food Pantries
- Additional Support Services

While each of these functions has been impacted by the ongoing pandemic, staff and students have implemented safety procedures in accordance with the College's COVID-19 protocols. Mr. Nguma reviewed a number of the changes, such as transition to online orientations and meetings, social distancing and limited attendance at in-person events, and even guidelines that have allowed intramural sports in safe, limited capacities.

### **2. Presentation on Dual Credit Faculty: Standards, Approval Process, and Support**

Dr. Rebecca De Leon, Dean for Dual Credit Programs & School District Partnerships reviewed the onboarding of school district teachers to serve as dual credit faculty for South Texas College, including the rigorous standards, meticulous approval process, and high level of support for district administration and teachers to ensure the students are provided high quality college courses.

At the December 8, 2020, Education and Workforce Development Committee, the committee asked about the support and guidance offered to local school districts, to help them recruit and prepare teaching staff that could be approved as South Texas College Dual Credit faculty. Dr. De Leon has developed this presentation as a high-level overview of the process.

### **Dual Credit Program Standards**

South Texas College promotes and protects very high standards to ensure that all college courses, including those at the dual credit level, meet the rigor and quality required by accreditation, state, and the College's integrity. The roles and responsibilities of the College and partnering School Districts to meet these standards is outlined in the interlocal agreement signed with each district, and complies with applicable accreditation standards, coordinating board requirements, and laws.

The College maintains and distributes written manuals and reference guides to help organize and communicate these complicated issues, and Dr. De Leon will review those documents. The manual and reference guides include:

- Dual Credit Programs Instructional and Quality Standards Manual: Academic Affairs Division
- Dual Credit Programs Enrollment and Support Services Manual: Student Affairs and Enrollment Management Division
- Reference Guide for Adjunct, Dual Credit Faculty & STC Faculty Teaching Dual Credit Courses
- South Texas College Faculty Handbook
- South Texas College Dual Credit Faculty 4-Step Review Process

### **Faculty Approval Process**

A critical component to maintain the integrity of the dual credit programs is the faculty approval process. South Texas College adheres to the same standards in approving dual credit faculty as all other College faculty. Specifically, for Dual Credit Faculty, this includes:

1. Initial communication with District administration and teachers
2. Formal application to South Texas College
3. Review by Department Chair and Faculty Committee
4. Review by South Texas College Office of Human Resources

At each point in the process, the College communicates clearly with interested teachers and District administrators, providing mentorship and guidance to those who need support to successfully qualify as faculty.

### **Professional Development**

The Dual Credit Programs team coordinates with several departments throughout the College to offer professional development opportunities that provide continued support to District teachers serving concurrently as dual credit faculty. These include face-to-face and online formats, with adjustments as required during the current pandemic.

### **Next Steps**

In a continued effort to improve our partnerships with school districts, administration was working directly with Campus Administrators from partnering School Districts to discuss the dual credit faculty approval process. The goal was to better align the College's requirements with Districts' procedures, to smooth the pathway for dedicated, qualified teachers to offer higher education instruction as dual credit faculty members.

### **3. Presentation on CARES Act Funding and Continued Student Support**

Mr. Matthew Hebbard, Vice President for Student Affairs and Enrollment Management, provided a presentation on federal CARES Act Funding and its continued support of South Texas College's students.

Student-focused funding was provided by the Coronavirus Aid, Relief, and Economic Security Act through two allocations, to support students impacted by the pandemic:

- Higher Education Emergency Relief Fund - \$10,011,199.00
- Minority Serving Institution Scholarship Fund - \$1,255,089.00

South Texas College implemented criteria consisted with US Department of Education guidance to identify eligible students and award CARES Act funding:

- Enrolled, or accepted for enrollment, toward a degree or certificate
- Eligibility for federal student aid
- Traditional College Student (high school diploma or equivalent)
- Maintain federal "Satisfactory Academic Progress"

Mr. Hebbard discussed the development and implementation of these eligibility requirements. They will then discuss the tools developed and used to inform students of the opportunity, and to expedite the review and processing of applications for CARES Act relief funds and disbursement to students.

Of the full \$11,266,288 received for disbursement to students, \$10,011,799 has already gone directly to eligible students. Mr. Hebbard and Mr. Carranza will review the plan to disburse the remaining balance, including efforts to reach eligible students who have not yet applied for CARES Act support, and secondary distribution to prior recipients.

### **Reallocation of Institutional Support Funds toward Student Support**

In addition to the \$11,266,288 in CARES Act funding earmarked for direct student support, South Texas College received another allocation of \$10,011,199.00 for



institutional support. Initial Department of Education Guidance on the use of funds to reimburse certain costs has since been revised, as presented to the Board on December 15, 2020. At that time, the Board authorized the reallocation of approximately \$6.3 million of those institutional support funds to support direct emergency aid checks to eligible students, under the same CARES Act requirements.

**Additional Minority Serving Institution Scholarship Fund Award**

In early January, the College received notification from the US Department of Education that the Minority Serving Institution Scholarship Fund award allocation would be increased by \$11,550, to a new total of \$1,266,639.00. This additional funding will be presented to the Board at a special meeting on January 12, 2021. Upon Board approval, the additional funds will be included among funds to be disbursed to students impacted by the pandemic.

This information was provided for the Committee's information and feedback to administration, and no action is requested from the Board of Trustees.

## **Review and Action as Necessary on Consent Agenda Items from the Finance, Audit, and Human Resources Committee**

The following Consent Agenda items were thoroughly discussed by the Finance, Audit, and Human Resources Committee. All trustees, whether a member of the Committee or not, received all supporting documentation and were invited to participate in the deliberation on each item. Non-committee members did not participate in Committee votes for recommendation of Board action.

Administration believes that all questions raised during the Committee discussion of Consent Agenda items were resolved to the Committee's satisfaction at the meeting, and the items are presented here substantially as recommended by the Committee, for approval by the Board of Trustees.

Any trustee may identify an item or items that should be removed from the Consent Agenda for further discussion. Otherwise, the Board is asked to formally act on the full consent agenda, according to the details and recommended action presented for each item in the following pages.

The Finance, Audit, and Human Resources Committee recommended Board action on the following items as presented.

- 1) Approval of Award of Proposal, Rescission of Award, Purchases, and Renewals
- 2) Approval of Renewal of External Auditor Services
- 3) Approval of Request for Qualifications for College Legal Counsel
- 4) Approval of Option to Voluntarily Continue Offering College Employees the Emergency Paid Sick Leave and Emergency Family and Medical Leave through March 31, 2021 and Retroactive to January 1, 2021

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the following items:

- 1) Approval of Award of Proposal, Rescission of Award, Purchases, and Renewals
- 2) Approval of Renewal of External Auditor Services
- 3) Approval of Request for Qualifications for College Legal Counsel
- 4) Approval of Option to Voluntarily Continue Offering College Employees the Emergency Paid Sick Leave and Emergency Family and Medical Leave through March 31, 2021 and Retroactive to January 1, 2021

**The Following Minute Order is proposed for consideration by the Board of Trustees:**  
The Board of Trustees approves and authorizes the following items:

- 1) Approval of Award of Proposal, Rescission of Award, Purchases, and Renewals
- 2) Approval of Renewal of External Auditor Services
- 3) Approval of Request for Qualifications for College Legal Counsel
- 4) Approval of Option to Voluntarily Continue Offering College Employees the Emergency Paid Sick Leave and Emergency Family and Medical Leave through March 31, 2021 and Retroactive to January 1, 2021

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

**Consent Agenda Item:**  
**Approval of Award of Proposal, Rescission of Award, Purchases, and Renewals**

Approval of the following award of proposal, rescind of award, purchases, and renewals is requested.

The Director of Purchasing has reviewed each item, including the procurement procedures and evaluation of all responses, and recommends approval as follows:

**A. Award of Proposal**

**1) HEP Grant Consultant (Award)**

Award the proposal for a High School Equivalency Program (HEP) grant consultant to **Leadership Empowerment Group** (Mercedes, TX), subject to negotiation of a final agreement of cost in line with the grant budget, for the period beginning February 1, 2021 through January 31, 2022, with three (3) one-year options to renew. The vendor submitted a cost of an annual amount of \$60,000.00 and total contract amount of \$240,000.00. Continuing, Professional, and Workforce Education and Purchasing Departments are requesting for the Finance, Audit, and Human Resources Committee to recommend Board approval for staff to negotiate a final contract amount with the vendor, since the amounts submitted by the vendor are above the current allotted grant budgeted amount. The current grant budget amount is \$154,394.71; therefore, this proposal is over budget in the amount of \$85,605.29.

Purpose – Continuing, Professional, and Workforce Education is requesting to contract with a consultant to develop and conduct a longitudinal study to evaluate the impact of a four (4) year needs-based service delivery model. These services are required under the United States Department of Education and Texas Higher Education Coordinating Board grant. This grant was accepted at the August 27, 2019 Board of Trustees meeting.

Justification and Benefit – The services will require gathering cognitive and noncognitive data for statistical multivariate analysis with the ultimate goal of serving a total of five hundred (500) Migrant and Seasonal Farmworkers that will result in increased educational attainment by providing students with a high school equivalency, and in some cases, an industry recognized certification, a certificate or a degree program. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

Background – Proposal documents were advertised on November 4, 2020 and November 11, 2020 and issued to three (3) vendors. One (1) response was received on December 4, 2020, and reviewed by the Continuing, Professional, and Workforce Education and the Purchasing Departments.

The proposal was previously advertised two (2) times, and was due on July 23, 2020 and September 4, 2020, however, no responses were received from any vendors.

Funds for this expenditure are budgeted in the High School Equivalency Program (HEP) -United States Department of Education grant budget for FY 2020 – 2021.

## **B. Rescission of Award**

### **2) Beverage Products (Rescind)**

Rescind the contract award for beverage products with PepsiCo due to the cafeteria closures at the Pecan, Nursing and Allied Health, Technology, and Mid Valley campuses. The purchases included 20 oz. carbonated drinks, 20 oz. water, 20 oz. Gatorade, 20 oz. tea, 16 oz. energy drinks, and 15.2 oz. juices.

## **C. Purchases and Renewals (C-a. Instructional Item)**

### **3) 3D Printer System and Materials (Purchase/Trade-In)**

Purchase a 3D printer system and materials from **Technical Laboratory Systems** (Houston, TX), The Interlocal Purchasing System (TIPS) purchasing cooperative approved vendor, at a cost of \$45,158.00 (original cost of \$70,158.00 less trade-in of \$25,000.00). The trade-in is a Stratasys F170 3D printer (asset #24778) purchased June 11, 2015, at a total amount of \$43,337.00, which is fully depreciated and will be removed from the College's general ledger.

Purpose – The Architectural and Engineering Design Technology (AEDT) program is requesting to purchase a Stratasys F370 3D printer system and materials for student instruction at the Technology Campus.

Justification and Benefit – The AEDT program trains students in the latest software and technologies in the architectural civil engineering and graphics visualization fields. In the fast-developing new technologies of design and building industry, it is essential to train students using the most current technology. It will allow students to design and create 3D models of buildings, bridges, and other structures. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

The trade-in provides an opportunity to update to the newest technology at a reduced cost.

Funds for this expenditure are budgeted in the Carl Perkins grant budget FY 2020 – 2021.

### **C. Purchases and Renewals (C-b. Non – Instructional Items)**

#### **4) Elevator Upgrades (Purchase)**

Purchase elevator upgrades from **Oracle Elevator** (San Antonio, TX), a Texas Association of School Boards – Buyboard approved vendor, at a total amount of \$131,780.00.

Purpose – Facilities Operations and Maintenance is requesting to upgrade two (2) dated and out of warranty elevators located at the Nursing and Allied Health Campus Building A (original building – West side).

Justification and Benefit – As part of one of the 2021 fiscal year projects, Facilities Operations and Maintenance will upgrade the existing elevators for the following reasons: increase their lifespan by updating the elevator control system, function, and energy efficiency. The modernization of these older elevators is recommended for the safety of its passengers and cutting down on energy costs for the building. These elevator upgrades are essential to minimize the frequency of elevator problems and system breakdowns. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

These elevators are over twenty (20) years old and frequently out of service and often the repair requires the vendor's computer which is not always readily available, meaning we have to wait days in some cases before it is back in service. Past experience has shown there are parts that are scarce or obsolete which further delays the repair and requires system reprogramming.

Funds for this expenditure are budgeted in the Renewals and Replacement budget for FY 2020 - 2021.

#### **5) Case Management Services (Renewal)**

Renew case management services with **Valley Initiative for Development and Advancement** (VIDA) (Mercedes, TX), a sole source vendor, for the period beginning January 1, 2021 through December 31, 2021, at a total amount of \$81,000.00.

Purpose – The Office of Enrollment Services is requesting case management and mentoring services for fifty (50) economically disadvantaged students per semester. These services will be conducted in the Spring, Summer, and Fall 2021 semesters.

Justification and Benefit – The services will include financial assistance (books, childcare, transportation, etc.), intensive case management, and career counseling to help complete their education and training in high-demand occupations. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

A qualifying student will have to meet the following requirements:

- Resident of the Rio Grande Valley
- 18 years or older
- Eligible to work in the United States
- Below federal poverty guidelines, or
- Underemployed with family responsibilities earning less than \$8.50, or
- Underemployed with family responsibilities registered with the Texas Workforce Commission

This is a six (6) week program, which includes one (1) counseling session per week for a total of forty-eight (48) hours per student per semester. An enrolled or qualifying student will automatically roll over to the next semester. Once a student graduates, a new student is accepted into the program.

The vendor has provided these services since FY 2018 – 2019.

Funds for this expenditure are budgeted in the Student Case Management Services budget for FY 2020 – 2021 and FY 2021 – 2022, pending Board approval of the budget.

#### **6) Online Employee Training Services (Renewal)**

Renew the online employee training services contract with **Governmentjobs.com, Inc./ dba NeoGov** (El Segundo, CA), a sole source vendor, for the period beginning August 19, 2020 through August 18, 2021, at a total amount of \$50,960.00.

These services had not been needed by South Texas College since the start of the renewal period; however, the Office of Human Resources has confirmed that a renewal would be needed in order to obtain services for the remainder of the renewal period.

Purpose – The Office of Human Resources is requesting to renew the online employee training and learning management services that are completed by all faculty and staff, both full-time and part-time.

Some of the trainings are as follows:

- Child Abuse and Molestation Awareness and Prevention in Texas (State)
- Sexual Violence Awareness and Prevention (Federal)
- Code of Conduct (Ethics) (STC Board Policy)
- Unlawful Harassment Prevention for Faculty and Staff (Federal)

Justification and Benefit – These trainings are required for compliance with South Texas College Board Policy, State of Texas and/or Federal requirements. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

Funds for this expenditure are budgeted in the Human Resources budget for FY 2020 – 2021.

## **7) Traditional Content Marketing Services (Renewal)**

Renew the traditional content marketing services with **Aperture Content Marketing** (Oak Park, MI), a sole source vendor, at a total amount of \$86,085.48.

Purpose – Public Relations and Marketing is requesting the renewal to continue their efforts to provide relevant and engaging content to the key audience segments of adult learners and high school students, strategically targeted households of traditional and non-traditional students, to build positive perceptions in the community and drive enrollment.

The services include the creation, printing, and strategic distribution of two (2) publications, Experience Exceptional (targeted towards Adult Learners) and Exceptional Start (targeted towards high school students and their families). The enrollment driven, turn key platform provides Public Relations and Marketing staff access to an edition builder, a production team, an online edition microsite and online library of customized articles to be used for print, web, and social media platforms.

Justification and Benefit – With more and more higher education institutions in the market recruiting students, Aperture Content Marketing will bolster and elevate South Texas College's current efforts to reach households with traditional and non-traditional students with a more streamlined, strategic, and cost-effective approach. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

Public Relations and Marketing will have the ability to:

- Work with a single vendor for printing, postage, and distribution
- Strategically target the homes of prospective adult learners and high school seniors with direct mail
- Streamline internal development and production processes within Public Relations and Marketing
- Have access to hundreds of carefully researched, enrollment driven articles
- Gain access to customizable infographics
- Build awareness about programs South Texas College offers
- Showcase all or select content electronically

Funds for this expenditure are budgeted in the Public Relations and Marketing budget for FY 2020 – 2021.

## **C. Purchases and Renewals (C-c. Technology Items)**

### **8) Network Equipment Replacements (Purchase)**

Purchase network equipment replacements from **Netsync Network Solutions** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at a total amount of \$113,587.60.



Purpose – Information Technology is requesting to purchase three (3) wireless access points, thirty-five (35) uninterrupted power supplies (UPS), and three hundred (300) office phones to replace non-functioning, end of life, and out of support equipment district wide.

Justification and Benefit – It is necessary to replace service equipment to provide support as follows:

- The access points provide wireless connectivity to students, faculty, and staff in designated areas
- The UPS are used to prevent data loss on network devices during power outages, power surges, and energy spikes
- The phones will replace existing outdated and non-functioning office phones

**EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

Funds for this expenditure are budgeted in Systems and Networking budget for FY 2020 – 2021.

**9) Red Hat License Maintenance Agreement (Renewal)**

Renew the Red Hat license maintenance agreement with **Netsync Network Solutions** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning February 27, 2021 through February 26, 2022, at a total amount of \$80,728.62.

Purpose – Information Technology is requesting to renew the annual license maintenance agreement that covers one thousand nine hundred eighteen (1,918) licenses, support, and maintenance including servers running the Red Hat operating system.

Justification and Benefit – The support provides critical updates and patches that mitigate security risks along with support for servers running the Red Hat operating system. The servers running Red Hat provide support to applications serving student, faculty, and staff district wide. **EVALUATED AS HIGH PRIORITY AND SHOULD NOT BE POSTPONED.**

Funds for this expenditure are budgeted in the Systems and Networking budget for FY 2020 – 2021.

On Tuesday, January 12, 2021, the Finance, Audit, and Human Resources Committee recommended Board approval of the award of proposal, rescission of an award, purchases, and renewals as listed below:

**A. Award of Proposal**

- 1) HEP Grant Consultant (Award):** award the proposal for a High School Equivalency Program (HEP) grant consultant to **Leadership Empowerment Group** (Mercedes, TX), subject to negotiation of a final agreement of cost in line with the grant budget, for the period beginning February 1, 2021 through January 31, 2022, with three (3) one-year options to renew. The vendor submitted a cost of an annual amount of \$60,000.00 and total contract amount of

\$240,000.00. Continuing, Professional, and Workforce Education and Purchasing Departments are requesting for the Finance, Audit, and Human Resources Committee to recommend Board approval for staff to negotiate a final contract amount with the vendor, since the amounts submitted by the vendor are above the current allotted grant budgeted amount. The current grant budget amount is \$154,394.71; therefore, this proposal is over budget in the amount of \$85,605.29;

**B. Rescission of Award**

- 2) Beverage Products (Rescind):** rescind the contract award for beverage products with PepsiCo due to the cafeteria closures at the Pecan, Nursing and Allied Health, Technology, and Mid Valley campuses. The purchases included 20 oz. carbonated drinks, 20 oz. water, 20 oz. Gatorade, 20 oz. tea, 16 oz. energy drinks, and 15.2 oz. juices;

**C. Purchases and Renewals (C-a. Instructional Item)**

- 3) 3D Printer System and Materials (Purchase/Trade-In):** purchase a 3D printer system and materials from **Technical Laboratory Systems** (Houston, TX), The Interlocal Purchasing System (TIPS) purchasing cooperative approved vendor, at a cost of \$45,158.00 (original cost of \$70,158.00 less trade-in of \$25,000.00). The trade-in is a Stratasys F170 3D printer (asset #24778) purchased June 11, 2015, at a total amount of \$43,337.00, which is fully depreciated and will be removed from the College's general ledger;

**C. Purchases and Renewals (C-b. Non-Instructional Items)**

- 4) Elevator Upgrades (Purchase):** purchase elevator upgrades from **Oracle Elevator** (San Antonio, TX), a Texas Association of School Boards – Buyboard approved vendor, at a total amount of \$131,780.00;
- 5) Case Management Services (Renewal):** renew case management services with **Valley Initiative for Development and Advancement (VIDA)** (Mercedes, TX), a sole source vendor, for the period beginning January 1, 2021 through December 31, 2021, at a total amount of \$81,000.00;
- 6) Online Employee Training Services (Renewal):** renew the online employee training services contract with **Governmentjobs.com, Inc./ dba NeoGov** (El Segundo, CA), a sole source vendor, for the period beginning August 19, 2020 through August 18, 2021, at a total amount of \$50,960.00;
- 7) Traditional Content Marketing Services (Renewal):** renew the traditional content marketing services with **Aperture Content Marketing** (Oak Park, MI), a sole source vendor, at a total amount of \$86,085.48;

**C. Purchases and Renewals (C-c. Technology Items)**

- 8) Network Equipment Replacements (Purchase):** purchase network equipment replacements from **Netsync Network Solutions** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, at a total amount of \$113,587.60;
- 9) Red Hat License Maintenance Agreement (Renewal):** renew the Red Hat license maintenance agreement with **Netsync Network Solutions** (Houston, TX), a State of Texas Department of Information Resources (DIR) approved vendor, for the period beginning February 27, 2021 through February 26, 2022, at a total amount of \$80,728.62;

Recommend Action - The total for all award of proposals, rescind of award, purchases, and renewals is \$829,299.70.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes the award of proposals, rescission of an award, purchases, and renewals totaling \$829,299.70 as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

**Consent Agenda Item:**  
**Approval of Renewal of External Auditor Services**

Approval to renew the contract with Carr, Riggs & Ingram, LLC. (McAllen, TX) for the external auditor services for the fiscal year ending August 31, 2021 is requested.

Purpose – The external auditor services contract renewal is requested to perform the College's annual financial audit and issue an opinion on the financial statements prepared by the College Business Office staff. The audited Comprehensive Annual Financial Report (CAFR) must be submitted annually to the Texas Higher Education Coordinating Board by December 31st.

Justification – The Vice President for Finance and Administrative Services and the Comptroller are requesting the contract renewal for external auditors to start the interim audit work related to the financial audit prior to fiscal year end.

Background - The Board awarded the contract for the external auditor services at the April 24, 2017 Board of Trustees meeting for one year with four one-year annual renewals. The fourth renewal period will be for the fiscal year ending August 31, 2021 for the audit of Fiscal Year 2020 - 2021.

<b>Award</b>	<b>Board Meeting Date</b>	<b>Original Term</b>	<b>Renewal Term</b>	<b>Audit Period</b>
Original	4/24/17	4/25/17 – 12/31/17	4 – one year options	9/1/16 - 8/31/17
1 <sup>st</sup> Renewal	2/27/18		1/1/18 – 12/31/18	9/1/17 - 8/31/18
2 <sup>nd</sup> Renewal	1/29/19		1/1/19 – 12/31/19	9/1/18 - 8/31/19
3 <sup>rd</sup> Renewal	1/28/20		1/1/20 – 12/31/20	9/1/19 - 8/31/20
4 <sup>th</sup> Renewal	1/26/21		1/1/21 – 12/31/21	9/1/20 - 8/31/21

The total amount paid in FY 2018, FY 2019, and FY 2020 was \$141,000, \$138,000, and \$137,000, respectively.

Dr. David C. Plummer, Interim President, and Mary Elizondo, Vice President for Finance and Administrative Services, attended the Committee meeting to address any questions by the Committee.

Funding Source - Expenditures are budgeted in the Audit Services budget for FY 2020 - 2021 budget and FY 2021 - 2022 pending Board approval of the budget.

The Finance, Audit, and Human Resources Committee recommended Board approval to renew the contract with Carr, Riggs, & Ingram, LLC. for the external auditor services at a cost of approximately \$138,000 for the fiscal year ending August 31, 2021 as presented.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize renewal of the contract with Carr, Riggs, & Ingram, LLC. for the external auditor services at a cost of approximately \$138,000 for the fiscal year ending August 31, 2021 as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes renewal of the contract with Carr, Riggs, & Ingram, LLC. for the external auditor services at a cost of approximately \$138,000 for the fiscal year ending August 31, 2021 as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

**Consent Agenda Item:**

**Approval of Request for Qualifications for College Legal Counsel**

Approval of request for qualifications for College legal services is requested.

Purpose – The College requires legal services and representation for various matters related to its normal operations, as well as legal issues involving potential litigation and legal exposure to the College.

Justification – Legal services are necessary to provide advice and counsel to Administrative staff, the President and the Board of Trustees and the Board Committees. On occasion, legal representation is required to represent the College in litigation as plaintiff or defendant. A solicitation of qualifications or appointment of one or more law firms is essential. The Board has the option of engaging the services of one firm to serve generally as legal counsel, or to select several firms or a pool of lawyers to be engaged as needed or on a case-by-case basis for matters that include the following:

- Attending Board and Committee meetings and advising Board members, Committee members, and Administration;
- Providing legal counsel and guidance to Board of Trustees and administrative staff on such matters as:
  - ⇒ Development, review and recommendation for updates of policies.
  - ⇒ Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RPF or RPQ document) and contract compliance
  - ⇒ Elections
  - ⇒ Texas Open Meetings Act
  - ⇒ Texas Public Information Act
  - ⇒ Construction contracts
  - ⇒ Litigation representation
  - ⇒ Tax Abatement Agreements
  - ⇒ IRS examinations
  - ⇒ Policy Drafting and Advising
  - ⇒ Legal Counsel Advising
  - ⇒ Public Information Responses
  - ⇒ Real Estate
  - ⇒ Intellectual Property
  - ⇒ Other U.S. State and International Matters and Engagements
  - ⇒ Land Use, Environmental, Health, and Safety
  - ⇒ General higher education matters including, but not limited to, tort and civil liabilities
- Additional legal services as requested and authorized by the Board

Typically, the first four areas occupy most of the College's needs, and the remainder are needed on an occasional basis.

Background – Current legal counsel are serving pursuant to a November 24, 2015 Board of Trustees meeting. The Board engaged the legal services of The J Ramirez Law Firm for general counsel services and Guerrero Law Firm for counsel and representation specifically related to personnel matters.

Roles and responsibilities for the engagement of Legal Counsel Services are included under the College's Policy #2200: Legal Counsel. The policy follows in the packet for the Committee's information and review.

### **Solicitation Process**

The selection of legal services process is stated in the Texas Education Code, Government Code and South Texas College policy is as follows:

- *Texas Education Code Chapter 44: Fiscal Management, Subchapter B: Purchases; Contracts Section 44.031 Purchasing Contracts Subsection (f). This section does not apply to a contract for professional services rendered, including services of an architect, attorney, certified public accountant, engineer, or fiscal agent.*

The Texas Education Code refers the professional services to the Government Code, which is as follows:

- *Government Code Chapter 2254: Professional and Consulting Services Section 2254.004: Contract for Professional Services of Architect, Engineer or Surveyor.*  
⇒ The Government Code excludes the professional services for an attorney, certified public accountant, or fiscal agent.

South Texas College Policy 5210: Purchasing Section Professional Services, states as follows:

- *"Professional services" are defined in Chapter 2254 of the Texas Local Government Code. The College must select and engage the "most qualified" professional. Competitive bidding is not required in the procurement of professional services, as defined in Chapter 2254 of the Texas Government Code. Professional services include, but is not limited to, services provided by architects, engineers, attorneys, and fiscal agents. Request for qualifications and Board of Trustees approval is required for professional service contracts at or above \$50,000.*

Additional information is provided below regarding the solicitation process, a Request for Qualifications (RFQ) may be used when selecting professional services for legal counsel services.

- A Request for Qualifications (RFQ) is a qualifications-based two (2) step selection process. It is not a proposal; therefore, it does not require that fees be disclosed. Furthermore, Texas law prohibits attorneys from offering bids for their services, and any submittal which quotes fees may be disqualified. An RFQ is a document that asks respondents to detail their background and experience. The RFQ does not include any details on how the work would be performed or what the charges might be, instead it only includes the attorney's skills and experience. The intent of an RFQ is to allow the Board to select who they determine is the most qualified for the project. The College has the opportunity to negotiate a fee with the final selection.

#### Request for Qualifications

At the December 15, 2021 Board of Trustees meeting, the Board asked that a proposed draft of the Request for Qualifications (RFQ) for legal services be presented at the January Finance, Audit, and Human Resources Committee meeting. The draft RFQ follows in the packet for the Committee's information and review.

On January 12, 2021, Administration requested clarification from the Committee regarding the following decisions associated with the request for qualifications for legal services:

#	Decisions	Legal Counsel Comments	Committee Recommendations
1	Will the requests for qualifications (RFQ) responses be solicited from both sole proprietors and laws firms?	Determination is at the Board's discretion.	Both options are acceptable.
2	Which evaluation criteria and ratings should be used?	Evaluation criteria options are at the Board's discretion.	Proposed evaluation criteria are included below.
3	Concerning the existing contract with Mr. Jose Guerrero for legal services for personnel matters: <ul style="list-style-type: none"><li>• Will legal services for personnel matters not be solicited?</li><li>• Will legal services for personnel matters be solicited to replace the existing contract?</li><li>• Will legal services for personnel matters be solicited to augment the existing contract?</li></ul>	Determination is at the Board's discretion.	Mr. Jose Guerrero should remain legal counsel for personnel matters.



4	Who will evaluate the requests for qualifications (RFQ)?	Evaluation process is at the Board's discretion.	The full Board of Trustees will evaluate the responsive Qualifications.
---	--	--	---

### **Evaluation Criteria – Proposed**

The proposed evaluation criteria and points are as follows:

#	Criteria	Points
1	Qualifications of personnel providing legal services to the College.	25
2	Experience representing Public Entities, including, but not limited to Community Colleges.	65
3	References	10
	Total Points	100

The Finance, Audit, and Human Resources Committee further recommended that qualified respondents would be required to be in good standing with the State Bar of Texas, and that they would be asked to report whether they are the subject of litigation.

### **Timeline**

Proposed solicitation schedule for the Request for Qualifications for Legal Counsel Services:

Solicitation Process	Date and Time
Advertise qualifications	February 3, 2021 and February 10, 2021
Release the request for qualifications	February 3, 2021
Deadline for written questions/inquiries	February 15, 2021
Responses for written questions/inquiries	February 17, 2021
Proposal submittal due date	February 24, 2021
Firm presentations	TBD (if applicable)
Anticipated Board recommendation and approval	March 30, 2021

Enclosed Documents – Policy #2200: Legal Counsel and the proposed draft Request for Qualifications follow in the packet for the Committee's information and review.

Mr. Jesus Ramirez, Legal Counsel, Dr. David Plummer, Interim College President, and Mary Elizondo, Vice President for Finance and Administrative Services attended the Committee meeting to address any questions by the Committee.

The Finance, Audit, and Human Resources Committee recommended Board approval of the request for qualifications for College legal services, including the revised qualification as proposed, and with evaluation of qualifications to be conducted by the Board of Trustees.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the request for qualifications for College legal services, including the revised qualification as proposed, and with evaluation of qualifications to be conducted by the Board of Trustees.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes the request for qualifications for College legal services, including the revised qualification as proposed, and with evaluation of qualifications to be conducted by the Board of Trustees.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

## MANUAL OF POLICY

<b>Title</b>	<b>Legal Counsel</b>	<b>2200</b>
<b>Legal Authority</b>	<b>Approval of the Board of Trustees</b>	<b>Page 1 of 1</b>
<b>Date Approved by Board</b>	<b>As Amended by Board Minute Order dated May 30, 2019</b>	

### **I. Purpose**

The purpose of the policy is to provide the roles and responsibilities for the engagement of legal counsel services for the College.

### **II. Policy**

The Board of Trustees shall retain an attorney(s), as necessary, to serve in the capacity of legal counsel for the College and to represent and advise the Board and Administration on legal matters referred for legal counsel.

The attorney(s) shall be reasonably compensated and shall serve at the pleasure of the Board. The attorney(s) shall be available to handle all legal matters for the Board and the administration of the College, and shall be responsible to the Board. Services to be performed and reasonable compensation to be paid by the Board shall be set forth in a written contract/letter of engagement between the Board and the attorney(s).

Staff requests for legal advice from the College's legal counsel shall be submitted through the College President or designee.

The attorney(s) shall attend Board meetings when requested by the Board or by the President and shall be available for consultation with members of the Board, the President, and individual staff members designated by the President, and shall undertake to represent the Board and the College in all matters referred by the Board and the President.

In the event that engaged legal counsel recuses them self from representing the College on any matter, the President is authorized to engage legal counsel for that specific matter, in accordance with Purchasing Policies.

In addition, the President is authorized to engage legal counsel services for specialized legal needs or any other legal needs, after consultation with contracted legal counsel, and in accordance with Purchasing Policies.

### **III. History**

*Origination Date Approved by Board:*  
November 9, 1995

*Date Amended and Approved by Board:*  
November 24, 2015  
May 30, 2019



## **SOUTH TEXAS COLLEGE**

**PURCHASING DEPARTMENT  
P O Box 9500  
MCALLEN, TX 78502-9500**

### **REQUEST FOR QUALIFICATIONS**

**RFQ NUMBER: 20-21-1026**

**QUALIFICATIONS MUST BE RECEIVED BEFORE:  
3:00 p.m., Central Time, February XX, 2021  
Opening will be public**

**If by US Postal Service,  
Mail to:**  
South Texas College  
Purchasing Department  
P O Box 9500  
McAllen, TX 78502-9500

**Hand Deliver or Express Mail  
(Overnight, 2<sup>nd</sup> day, etc.) to:**  
South Texas College  
Purchasing Department  
3200 W Pecan Blvd.  
Bldg N Rm 145  
McAllen, TX 78501

**Show RFQ Number, Opening Date and Time on Return Envelope**

**NOTE:** Qualifications must be time stamped at **South Texas College Purchasing Department** before the hour and date specified for receipt of qualifications.

Sealed QUALIFICATIONS shall be submitted in a sealed envelope plainly marked with the name and address of the individual or firm who is submitting the QUALIFICATIONS as well as the following: **REQUEST FOR QUALIFICATIONS - LEGAL SERVICES** in addition to the date and time of the formal opening. If the QUALIFICATIONS are sent through the mail or other delivery system, the sealed QUALIFICATIONS shall be enclosed in a separate envelope with "SEALED QUALIFICATIONS ENCLOSED" on the face thereof.

The QUALIFICATIONS will not be awarded on opening day. The Board of Trustees of South Texas College will make an award after study and consideration of the QUALIFICATIONS. Acceptance of the QUALIFICATIONS shall not constitute or be construed as the College's acceptance of the suitability of the firm to provide the services required by this RFQ.

**For information regarding any part of this Request for Qualifications, call:**

Becky Cavazos, Purchasing Dept, Phone: (956) 872-4681 or email at [stcpurchasing@southtexascollege.edu](mailto:stcpurchasing@southtexascollege.edu)

**NOTE:** Qualifications received after the 3:00 p.m. deadline will not be accepted and will be returned unopened.

## TABLE OF CONTENTS

	Page #
<b>Section 1</b>	<b>Acknowledgement of Receipt .....4</b>
<b>Section 2</b>	<b>Introduction .....5</b>
2.1	Background on STC .....5
2.2	Purpose and Objectives .....5
<b>Section 3</b>	<b>Instructions and Response Requirements .....7</b>
3.1	Acceptance and Consideration of Qualifications .....7
3.2	Qualifications Preparation Instructions .....7
3.3	Alteration of Qualifications .....7
3.4	Submittal Documents .....7
3.5	Submittal Deadline and Location .....8
3.6	STC Contacts .....8
3.7	Inquiries and Interpretations .....8
3.8	Addenda Acknowledgement .....8
3.9	Public Information .....8
3.10	Award of Contract .....9
3.11	Validity Period .....9
3.12	Response Irregularities .....9
<b>Section 4</b>	<b>Evaluation Criteria for Award .....10</b>
4.1	Evaluation Information .....10
4.2	Evaluation Criteria and Weights .....10
<b>Section 5</b>	<b>Scope of Services .....11</b>
5.1	Requirements and Qualifications .....11
5.2	Statement of Qualifications .....12
<b>Section 6</b>	<b>General Terms and Conditions .....13</b>
6.1	Time of Performance .....13
6.2	Acceptant and Ownership of Materials .....13
6.3	Default .....13
6.4	Indemnification .....13
6.5	Compliance with Law .....13
6.6	Payments .....13
6.7	Termination .....14
6.8	Contract Amendments .....14
6.9	Independent Respondent Status .....14
6.10	Non-Disclosure .....14
6.11	Publicity .....14
6.12	Severability .....14
6.13	Non-Waiver of Defaults .....14
6.14	Force Majeure .....14
6.15	Governing Law .....15
6.16	Assignment .....15
6.17	Insurance .....15

<b>Exhibit 1</b>	<b>Addenda Checklist.....</b>	<b>16</b>
<b>Exhibit 2</b>	<b>Execution of Offer .....</b>	<b>17</b>
<b>Exhibit 3</b>	<b>References.....</b>	<b>18</b>

### **SOLICITATION SCHEDULE**

The following is the anticipated solicitation schedule including a brief description for milestone dates:

<b>Solicitation Process</b>	<b>Date and Time</b>
Advertise qualifications	February 3, 2021 and February 10, 2021
Release the request for qualifications	February 3, 2021
Deadline for written questions/inquiries	February 15, 2021
Responses for written questions/inquiries	February 17, 2021
Statement of Qualifications submittal due date	February 24, 2021
Firm presentations	TBD (if applicable)
Anticipated Board recommendation and approval	March 30, 2021

**SECTION 1**  
**ACKNOWLEDGEMENT OF RECEIPT**

**THIS FORM MUST BE COMPLETED AND FAXED OR EMAILED  
UPON RECEIVING THE REQUEST FOR QUALIFICATIONS (RFQ)**

Please fill in the requested information below as acknowledgement that you have received the RFQ and intend to respond. Send the completed page via fax or as an email attachment with the subject line "20-21-1026 Request for Qualifications - Legal Services" to the following contact information:

South Texas College  
Purchasing Department  
Fax: (956) 872-4688  
Email: [stcpurchasing@southtexascollege.edu](mailto:stcpurchasing@southtexascollege.edu)

By doing this, we will be able to provide notification of any addenda to the RFQ.

Name of Attorney or Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

Name: (Print) \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Yes, our firm does have an interest in responding.

\_\_\_\_\_ No, our firm does not have an interest in responding.

## **SECTION 2 INTRODUCTION**

### **2.1 Background on STC**

South Texas College (“STC” or the “College”) is a comprehensive community college serving the Counties of Hidalgo and Starr in South Texas. It has six campuses including three in McAllen: the Pecan Campus, the Technology Campus, and the Nursing and Allied Health Campus; the Mid-Valley Campus in Weslaco; the Starr County Campus in Rio Grande City; and the Regional Center for Public Safety Excellence in Pharr. Established in 1993, STC serves an area with a population of approximately 940,000 and has an enrollment of approximately 32,742 (22,689 FTE). It offers more than 100 degree and certificate programs.

STC is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate and associate degrees. The College offers certificates and institutional awards, and is also approved for veteran’s educational training in Certificate and Associate of Applied Science degree programs by the Texas Education Agency. The College offers over 120 degree and certificate options.

STC has a diversified revenue structure with the three main sources of unrestricted revenue deriving from student tuition and fees, local taxes, and state appropriation.

STC’s innovative endeavors and dedication to excellence have paved the way to praise and acclaim. The College has received numerous awards from national, state and local bodies that recognize its leadership among the community colleges in the State of Texas and the nation.

In June 2019, the College received the inaugural “Seal of Excelencia” by Washington D.C. based Excelencia in Education, affirming more than 25 years of creating a college-going culture for Hispanic students of the Rio Grande Valley. Excelencia created the seal of approval to challenge colleges to increase Latino enrollment and improve student retention rates and faculty representation on their campuses.

In 2019, the College received the Pioneer Award from the Community College Baccalaureate Association in recognition of progress toward making baccalaureates accessible to all.

### **2.2 Purpose and Objectives**

The College is soliciting a Statement of Qualifications (“Qualifications”) from interested attorneys or law firms to provide Legal Services in accordance with terms, conditions, and requirements set forth in this Request for Qualifications (RFQ). STC will be selecting one or more attorneys or law firms to provide legal services in the following categories (“Legal Services”). Respondents may choose to limit their services to specific practice areas.

#### **Primary Services**

1. Attending Board and Committee meetings and advising Board members, Committee members, and Administration
2. Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as:
  - a. Development, review, and recommendation for updates of policies and procedures
  - b. Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RFQ or RFP document) and contract compliance



- c. All aspects of local government and higher education law
- d. Board of Trustee Elections
- e. Texas Open Meetings Act
- f. Texas Public Information Act
- g. Construction Contracts
- h. Litigation Representation including tort and other civil liabilities
- i. Other work as authorized by the Board of Trustees

**Secondary Services**

- 3. Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as needed:
  - a. Tab Abatement Agreements
  - b. IRS examinations
  - c. Real estate law
  - d. Intellectual property
  - e. Land Use, Environmental, Health and Safety

The contract term shall be for a period of three (3) years with the option to renew for two (2) additional one-year periods.

*Balance of page intentionally left blank*

## SECTION 3 INSTRUCTIONS AND RESPONSE REQUIREMENTS

### 3.1 Acceptance and Consideration of Qualifications

- A. STC reserves the right to accept or reject any or all Qualifications, to waive informalities and minor technicalities, or to cancel this RFQ in part or in its entirety, according to what is in the best interest of STC.
- B. Only sealed Qualifications will be accepted. Faxed or emailed Qualifications will NOT be accepted.
- C. Qualifications received after the stated deadline for submittal will not be accepted under any circumstances and will be returned to the Respondent unopened.
- D. Unsigned Qualifications will NOT be considered.
- E. Qualifications which are qualified with conditional clauses, or alterations, or irregularities of any kind are subject to disqualification by STC, at its option.
- F. All accepted Qualifications will become the property of the STC Purchasing Department upon submission.

### 3.2 Qualifications Preparation Instructions

- A. Each Qualification shall be prepared simply and economically, providing a straightforward and concise description of Respondent's ability to meet the requirements of this RFQ. Emphasis shall be on completeness, clarity of content and responsiveness to the qualification requirements.
- B. Qualifications must be typed or printed on letter size (8 1/2 x 11) white paper suitable for copies.
- C. All pages of the Qualifications should be numbered sequentially.
- D. All sections of this RFQ requiring information and/or a signature must be filled out and returned as part of the submittal package.
- E. Respondents must submit **one original, eight (8) copies and a PDF file on a flash drive**, of the complete Qualifications.

### 3.3 Alteration of Qualifications

Qualifications cannot be altered or amended after the submission deadline. However, a Qualification may be withdrawn and re-submitted at any time prior to the deadline for submittals. The signer of the Qualifications, guaranteeing authenticity, must initial any interlineations, alterations, or erasures made on the Qualifications document.

### 3.4 Submittal Documents

The following documents, at a minimum, **must be filled out, signed** by an authorized representative, and returned as part of your qualifications:

- A. Addenda Checklist (**signed if applicable**) (Exhibit 1)
- B. **Signed** Execution of Offer (Exhibit 2)
- E. **Signed** References (Exhibit 3)

### 3.5 Submittal Deadline and Location

- A. All qualifications must be received by STC no later than **3:00 p.m. (CST), February XX, 2021.**
- B. Hand deliver or express mail to:

South Texas College  
Purchasing Department  
3200 W Pecan Blvd Bldg N Ste 145  
McAllen, Texas 78501

### 3.6 South Texas College Contacts

Any questions or concerns regarding this request for qualifications shall be directed to:

Becky Cavazos Director of Purchasing South Texas College 3200 W Pecan Blvd. Bldg. N Ste. 145 McAllen, TX 78501 Phone: (956) 872-4681 Email: <a href="mailto:beckyc@southtexascollege.edu">beckyc@southtexascollege.edu</a>	
---	--

STC specifically requests that Respondents restrict all contact and questions regarding this RFQ to the above-named individual(s).

### 3.7 Inquiries and Interpretations

Responses to inquiries which directly affect an interpretation or change to this RFQ will be issued in writing by addendum (amendment) and mailed and/or faxed to all parties recorded by STC as having received a copy of the RFQ. All such addenda issued by STC prior to the time that qualifications are received shall be considered part of the RFQ, and the Respondent shall acknowledge receipt of such in their response.

Only those STC replies to inquiries, which are made by formal written addenda, shall be binding. Oral and other interpretations or clarification will be without legal effect.

### 3.8 Addenda Acknowledgement

Addenda must be acknowledged with the submittal of the Qualifications. An addenda acknowledgement form is included as part of this RFQ (Exhibit 1) and must be returned with the Qualifications if applicable.

### 3.9 Public Information

STC considers all information, documentation and other materials requested to be submitted in response to this RFQ to be of a non-confidential and/or non-proprietary nature and therefore shall be subject to public disclosure under the Texas Public Information Act (Texas Government Code, Chapter 552). Notwithstanding the foregoing, disclosure of information related to this RFQ shall be made only after a contract is awarded.

### **3.10 Award of Contract**

STC shall reserve the right to award a contract for all or any of the Legal Services in this Request for Qualifications, to award multiple contracts, or to not award any contract, according to what is in the best interest of STC.

STC will evaluate and rank each qualification with respect to the selection criteria contained in this RFQ. After opening and ranking, an award may be made on the basis of the qualifications initially submitted, without discussion, clarification or modification, or, STC may discuss with the selected Respondent offers for cost reduction and other elements of the Respondent's qualifications. If STC determines that it is unable to reach a contract satisfactory to STC with the selected Respondent, then STC will terminate discussions with the selected Respondent and proceed to the next Respondent in order of selection ranking until a contract is reached or STC has rejected all qualifications.

### **3.11 Validity Period**

Qualifications are to be valid for a minimum of ninety (90) days from the submittal deadline date to allow time for evaluation, selection, and any unforeseen delays.

### **3.12 Response Irregularities**

Qualifications that are qualified with conditional clauses, alterations, and items not requested in the RFQ documents or that contain irregularities of any kind are subject to disqualification by STC at its option.

*Balance of page intentionally left blank*

## SECTION 4 EVALUATION CRITERIA FOR AWARD

### 4.1 Evaluation Information

STC will utilize an evaluation team for the evaluation of this RFQ. The evaluation will include the overall response to the RFQ and the general requirements defined in the RFQ. STC must be confident that the respondent's services will perform and meet the needs of STC. STC will evaluate and make the award on the Qualifications that is determined to be the best value to STC based on the criteria listed below.

All Qualifications must be complete and convey all of the information requested to be considered responsive. If the Qualifications fail to conform to the essential requirements of the RFQ, STC alone will determine whether the respondent will be a candidate for further consideration.

### 4.2 Evaluation Criteria and Weights

Qualifications of personnel providing legal services to the College.	25 points
Experience with Public Entities, including, but not limited to Community Colleges	65 points
References	10 points
Total Points	100

*Balance of page intentionally left blank*

## **SECTION 5**

### **SCOPE OF SERVICES**

South Texas College (STC) is seeking the services of an attorneys or law firms, as described in the Scope of Services and in accordance with the terms, conditions, and requirements set forth in the Request for Qualifications (RFQ). The successful Respondent will provide the scope of services in accordance with all applicable laws, regulations, and professional standards.

#### **5.1 Requirements and Qualifications**

Respondents must meet the following requirements:

- A. Serve as the College's chief legal advisor and is responsible for oversight of assigned legal activities involving the College. Advise the Board of Trustees of potential legal problems.
- B. Provide legal services to the College, as authorized by the Board of Trustees including legal advice, research, training, and opinions to the Board of Trustees and work closely with the Board of Trustees, College President, and other administrators.
- C. Responsible for the oversight of all litigation involving the College, including hearings and arbitrations. Work to ensure that legal services are provide in a manner that serves the College's best interest.
- D. Attend regular, special, and committee meetings of the Board when requested and be available for consultation as needed.
- E. Provide additional legal reports and advice as requested by the Board of Trustees.
- F. Must be in good standing with the State Bar of Texas.
- G. Respondents should not include a fee schedule with this request for qualifications.

## 5.2 Statement of Qualifications

### A. Statement of Qualifications and Format and Content

The respondent's or firm's Statement of Qualifications should fully state its Legal Services experience. The submitted Statement of Qualifications should be organized and indexed in a format that ensures the College can easily review to effectively evaluate the respondent's or firm's Statement of Qualifications.

#### **Preferred Format**

1. Letter of Interest
  - a. Identify the submitting organization;
  - b. A listing of principal(s) of the firm;
  - c. Identify the name and title of the person authorized by the organization to contractually negotiate and obligate the organization;
  - d. Identify the name, title, and telephone number of the person(s) being proposed as General Counsel;
  - e. Identify the names, titles, and telephone numbers of persons to be contacted for clarification;
  - f. Letter be signed by person authorized to contractually obligate the organization.
2. Submission of Statement of Qualifications
  - a. Brief History of the firm, including a resume of Curriculum Vita of the personnel proposed to provide General Counsel Legal Services.
  - b. The location and listing of resources of the local office (e.g., number of partners, associates, clerical staff, etc.), and the distance from this office to the College.
  - c. Professional memberships, certifications, licenses, and other qualifications for key individuals assigned to the College including the State Bar of Texas membership number for each of the lawyers who will be providing services to the College.
  - d. Company's experience and qualifications for similar types of engagements; this summary must include your firm's experience in each of the areas of specialty listed herein for which respondent is submitting a Statement of Qualifications
  - e. List of cases and outcomes relating for higher education clients that have been handled by the firm through negotiation, settlement, mediation, arbitration, or litigation.
  - f. List of past and pending lawsuits against your firm or against any lawyers in the firm who will provide services to the College.
  - g. List and describe all of the grievances filed with the State Bar of Texas, or any other State Bar Association, against any lawyer in the firm who will provide services to the College.
3. Certification of Non-Discrimination (Exhibit A)
  - a. Respondent shall complete, sign, date, and include with its Statement of Qualifications the Certificate of Non-Discrimination attached to this RFQ.
4. References Form (Exhibit B)
  - a. A minimum of five (5) verifiable references from Texas public or private educational institutions shall be listed on the "References" sheet provided in this RFQ; this list may include current and former clients (with reason for cancellation if applicable), with all references being able to fully comment on the Respondent's related experience.
5. Additional Materials (optional)
  - a. Respondents may include other materials that they feel may improve the quality of their Statement of Qualifications submissions and/or are pertinent to this RFQ.
  - b. Respondents are encouraged to include letters of reference and/or testimonials in their Statement of Qualifications.

## **SECTION 6 GENERAL TERMS AND CONDITIONS**

These General Terms and Conditions shall be made a material part of and govern any contract resulting from this Request for Qualifications ("Contract").

### **6.1 Time of Performance**

Time is of the essence in the rendering of services and delivery of products hereunder. Respondent agrees to perform all obligations and render services set forth in the requirements in this Contract and according to any service schedule(s) agreed upon by STC and Respondent.

### **6.2 Acceptance and Ownership of Materials**

All services performed under this Contract shall be to the satisfaction of STC and in accordance with the specifications, terms, and conditions of the Contract. STC reserves the right to inspect the final services performed, and to determine the quality, acceptability, and fitness of such services. Respondent agrees that the copyright to all market research results and materials developed for STC shall become the property of STC. This shall include, but not be limited to, all rights to photos, advertisements, questionnaires, survey instruments, and other creative materials developed for STC during the contract period.

### **6.3 Default**

In the event that professional firm fails to carry out or comply with any of the terms and conditions of the Contract with STC, STC may notify Respondent of such failure or default in writing and demand that the failure or default be remedied within ten (10) days. In the event that Respondent fails to remedy such failure or default within the ten (10) day period, STC shall have the right to cancel the Contract.

The cancellation of the Contract, under any circumstances whatsoever, shall not affect or relieve the Respondent from any obligation or liability that may have been incurred or will be incurred pursuant to the Contract and such cancellation by STC shall not limit any other right or remedy available to STC at law or in equity.

### **6.4 Indemnification**

To the fullest extent permitted by law, the Respondent agrees to indemnify and hold harmless STC, its officers, employees, and agents harmless from and against any and all claims, damages, losses and expenses of whatever kind or nature, including but not limited to attorneys' fees, of any nature or kind arising out of or caused from the performance of services, or provision of goods, by the Respondent pursuant to this contract, which are caused, in whole or in part, by any negligent act or omission of the Respondent.

### **6.5 Compliance with Law**

Respondent is aware of and in full compliance with its obligations under existing applicable law and regulations, including the Immigration Reform and Control Act of 1986, Title VI of the Civil Rights Act of 1964 (as amended), the Age Discrimination Act of 1975, the Fair Labor Standards Act (as amended), the Americans with Disabilities Act of 1990, and all other applicable laws and regulations.

### **6.6 Payments**

Payment for services will be made after acceptable performance of services and after receipt of a valid invoice. Payment shall be in accordance with the State of Texas Prompt Payment Act, Chapter 2251, Government Code VTCA.



## **6.7 Termination**

- A. STC shall have the right to terminate the contract for convenience and without cause upon thirty (30) days' written notice to Respondent.
- B. STC may terminate this Contract, without penalty, either in whole or in part, if funds are not appropriated by STC in its budget specifically for this contract.

In no event shall such termination by STC, as provided for under this section, give rise to any liability on the part of STC, including, but not limited to, claims of the Respondent for compensation for anticipated profits, unabsorbed overhead, or interest on borrowing. STC's sole obligation hereunder is to pay Respondent for products and/or services ordered and received prior to the date of termination.

## **6.8 Contract Amendments**

The Contract may be amended, in writing, within the Contract period by mutual consent of the parties. No modification or amendment to the Contract shall become valid unless in writing and signed by both parties. All correspondence regarding modifications or amendments to the Contract must be forwarded to the STC Purchasing Department for prior review and approval.

## **6.9 Independent Contractor Status**

The Respondent shall supervise and direct the work, using its best skill and attention. The Respondent shall be solely responsible for, and have control over means, methods, techniques, sequences and procedures and for coordinating all portions of the work, and acknowledges that it is being engaged by STC as an independent contractor.

## **6.10 Non-Disclosure**

Respondent and STC acknowledge that they or their employees may, in the performance of this contract, come into the possession of proprietary or confidential information owned by or in the possession of the other. Neither party shall use any such information for its own benefit outside this Agreement. Subject to Section 3.9, neither party shall make such information available to any person, firm, corporation, or other organizations, whether directly or indirectly affiliated with Respondent or STC, unless required by law.

## **6.11 Publicity**

Respondent agrees that it shall not publicize this Contract or disclose, confirm or deny any details thereof to third parties or use any photographs or video recordings of STC's name in connection with any sales promotion or publicity event without the prior express written approval of STC.

## **6.12 Severability**

If any provision of this Contract, or the application of any provision to any party or circumstance is held invalid, unenforceable, or illegal in any respect, the remainder of the Contract and the application of the provision to other parties or circumstances shall remain valid and in full force and effect.

## **6.13 Non-Waiver of Defaults**

Any failure of STC at any time, to enforce or require the strict keeping and performance of any of the terms and conditions of this Contract shall not constitute a waiver of such terms, conditions, or rights, and shall not affect or impair same, or the right of STC at any time to avail itself of same.

## **6.14 Force Majeure**

If either STC or Respondent is delayed at any time in the performance of its obligations under this

contract by economic industry-wide strikes, fire, floods, acts of government, unavoidable casualties, or other causes reasonably beyond the control of either party and which could not have been reasonably anticipated, then the party affected by such an event shall give notice to the other party of the probable extent to which the affected party will be unable to perform or be delayed in performing its obligations hereunder. If the performance of either party is delayed or prevented by such an event, both parties shall be excused from performing their obligations hereunder while and to the extent the conditions arising from the event exist, after which the parties' performance shall be resumed. A delay or failure in performance by either party under this paragraph shall not constitute default hereunder, or give rise to any claim for damages.

**6.15 Governing Law**

This Contract will be governed and construed according to the laws of the State of Texas. Both parties agree that venue for any litigation arising from this contract shall lie in Hidalgo County, Texas.

**6.16 Assignment**

The Respondent shall not sell, assign, transfer or convey this contract, in whole or in part, without the prior written consent of STC.

**6.17 Insurance**

Respondent shall obtain and keep in effect during the term of this contract, insurance coverage in the below listed types and amounts. As evidence of insurance coverage, Respondent shall furnish to STC copies of the policies of insurance **before commencement** of any work under this contract.

TYPE OF COVERAGE		LIMITS
A.	Error and Omissions	\$1,000,000
<u>Balance of page intentionally left blank</u>		

**EXHIBIT 1**  
**ADDENDA CHECKLIST**

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.

No. 1 \_\_\_\_\_

No. 2 \_\_\_\_\_

No. 3 \_\_\_\_\_

No. 4 \_\_\_\_\_

Firm Name: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature (only if addenda have been issued)

**EXHIBIT 2**  
**EXECUTION OF OFFER**

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

- i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.
- ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.
- iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.
- iv) is not currently delinquent in the payment of any property taxes owed to STC.
- v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.
- vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.
- vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.
- viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

- a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.
- b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services ([marye@southtexascollege.edu](mailto:marye@southtexascollege.edu)), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as “local government officers.”

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form (“CHDF”) that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services ([marye@southtexascollege.edu](mailto:marye@southtexascollege.edu)), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing ([beckyc@southtexascollege.edu](mailto:beckyc@southtexascollege.edu)), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent’s Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent’s authority to bind the Respondent to a contract.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Taxpayer Identification Number: \_\_\_\_\_

Respondent’s Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Email: \_\_\_\_\_

Fax No.: \_\_\_\_\_

**EXHIBIT 3  
REFERENCES  
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

\*\*\*\*\*

**REFERENCE ONE**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\*\*\*\*\*

**REFERENCE TWO**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\*\*\*\*\*

**REFERENCE THREE**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\*\*\*\*\*

**REFERENCE FOUR**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*

**REFERENCE FIVE**

Government/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Description of Services: \_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*

**Consent Agenda Item:**

**Approval of Option to Voluntarily Continue Offering College Employees the Emergency Paid Sick Leave and Emergency Family and Medical Leave through March 31, 2021 and Retroactive to January 1, 2021**

Approval on option to voluntarily continue offering College employees the Emergency Paid Sick Leave and Emergency Family and Medical Leave through March 31, 2021 and retroactive to January 1, 2021, is requested.

Purpose – To review the option to voluntarily continue offering the College employees emergency leaves, as provided by Family First Coronavirus Response Act (FFCRA) for qualifying COVID-19 reasons, for the period of January 1, 2021 to March 31, 2021, as per the Consolidated Appropriations Act, 2021 (H.R. 133) signed into law on December 27, 2020.

Justification – Per the Consolidated Appropriations Act, 2021 (H.R. 133), covered employers, such as South Texas College, have the option to continue offering employees Emergency Paid Sick Leave and Emergency Family and Medical Leave for qualifying COVID-19 related reasons. Management requests approval to continue offering employees the Emergency Paid Leave and the Emergency Family and Medical Leave for the period of January 1, 2021 through March 31, 2021.

Background – The Family First Coronavirus Response Act required some employers, including South Texas College, to provide employees with Emergency Paid Sick Leave and Emergency Family and Medical Leave for qualifying COVID-19 related reasons during the period of April 1, 2020 through December 31, 2020. The Consolidated Appropriations Act, 2021(H.R. 133), has now given the option to covered employers to voluntarily continue to provide these two types of leaves from January 1, 2021 through March 31, 2021.

A summary of the leaves provided by the Family First Coronavirus Response Act are as follows:

- Emergency Paid Sick Leave –
  - ⇒ Under the Families First Coronavirus Response Act, an employee is entitled to take paid sick leave (80 hours for full-time employees and 38 hours for part-time employees) related to COVID-19, if the employee is unable to work, including unable to telework, because of one or more of the six (6) qualifying reasons as follows:
    1. Subject to a federal, state, or local quarantine or isolation order related to COVID-19.



2. Advised by a health care provider to self-quarantine due to COVID-19.
3. Experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. Caring for an individual subject to or advised to quarantine or isolate.
5. Caring for my child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons.
6. Experiencing substantially similar conditions as those specified by the U.S Department of Health and Human Services in consultation with the Secretaries of Labor and Treasury.

⇒ Benefit:

- Full-time employee – 80 hours of paid sick leave.
- Part-time employee – Average number of hours worked for the immediate previous 6 months (If less than 6 months, average number of hours/weeks the employee is normally scheduled to work).

⇒ Compensation:

- For Qualifying Reasons (1), (2), (3) – Employee is paid at employee's regular rate of pay capped at \$511 daily and \$5,110 total.
- For Qualifying Reasons (4), (5), (6) – Employee is paid 2/3<sup>rd</sup> of the employee's regular rate of pay capped at \$200 daily and \$2,000 total.

- Emergency Family and Medical Leave

⇒ Under the Families First Coronavirus Response Act an employee is entitled to take family and medical leave related to COVID-19, if the employee is unable to work or telework because of the following qualifying reason:

- Employee is unable to work or telework due to the need for leave to care for a qualifying dependent under 18 years of age because the school or place of care has been closed, or the child care provider of such qualifying dependent is unavailable, due to a “public health emergency” (an emergency with respect to COVID-19 declared by Federal, State or local authority).

⇒ Benefit:

- Any full-time and part-time employee who worked for employer for 30 days prior to leave and has a qualifying reason.

⇒ Compensation:

- Up to 12 weeks of job-protected leave (paid after the first 10 days).
  - First 10 days of Emergency FMLA may be unpaid. Eligible employees shall be granted unpaid leave or may take available accrued sick or vacation leave during the first ten (10) days of leave.
  - After the first 10 days:
    - Compensated at 2/3 of the employee's regular rate of pay capped at \$200 per day and \$10,000 in aggregate per employee.

- Part-time employees/irregular schedule entitled to be paid based on average number of hours employee worked in prior 6 months (OR if employed less than 6 months, average number of hours employee would normally be scheduled to work).

Mary Elizondo, Vice President for Finance and Administrative Services, and Laura Requena, Interim Director of Human Resources, attended the Committee meeting to address any questions by the Committee.

The Finance, Audit, and Human Resources Committee recommended Board approval to exercise the option offered by the Consolidated Appropriations Act, 2021 (H.R. 133) to voluntarily continue offering the College employees emergency leaves, as provided by Family First Coronavirus Response Act (FFCRA) for qualifying COVID-19 reasons, for the period of January 1, 2021 to March 31, 2021.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize exercising the option offered by the Consolidated Appropriations Act, 2021 (H.R. 133) to voluntarily continue offering the College employees emergency leaves, as provided by Family First Coronavirus Response Act (FFCRA) for qualifying COVID-19 reasons, for the period of January 1, 2021 to March 31, 2021.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes exercising the option to voluntarily continue offering the College employees emergency leaves offered by the Consolidated Appropriations Act, 2021 (H.R. 133) , as provided by Family First Coronavirus Response Act (FFCRA) for qualifying COVID-19 reasons, for the period of January 1, 2021 to March 31, 2021.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

## **Review and Action as Necessary on Financial Advisor Services and Continuing Disclosure Services**

Mr. Rene Guajardo, Chairman of the Finance, Audit, and Human Resources Committee, has requested Board consideration to authorize the Director of Purchasing to coordinate procedural steps as necessary related to the evaluation of qualifications for Financial Advisor and Continuing Disclosure Services.

### **Evaluation of Qualifications by Finance, Audit, and Human Resources Committee**

At the November 24, 2020 Board meeting, the Board approved the solicitation of a Request for Qualifications (RFQ) for Financial Adviser and Continuing Disclosure Services combined, using the identified criteria, and stipulated that evaluations would be conducted by the Finance, Audit, and Human Resources Committee. The Committee and Board reserve the right to interview respondents as necessary.

Proposal documents were advertised on December 2, 2020 and December 9, 2020 and issued to five (5) vendors. Four (4) responses were received on December 16, 2020.

On January 12, 2021, administration provided an overview of the process used by College staff when reviewing and evaluating qualifications. All seven trustees were provided with hard copies of the forms used in the evaluation process, as well as copies of all four responsive Qualifications. The members of the Finance, Audit, and Human Resources Committee were asked to complete and submit the *Acknowledgement of Evaluation Responsibility, Non-Conflict of Interest, and Confidentiality Statements* prior to their independent review of the Qualifications.

### **Reference Checks**

Mr. Rene Guajardo has noted that the evaluation process requires the completion of reference checks for each respondent. Mr. Guajardo confirmed with administration that the standard operating practice for procurement at South Texas College is to have an impartial Purchasing Department staff member conduct the reference checks and submit the responses to each evaluation committee member for their consideration.

Mr. Guajardo noted that this process would be more streamlined than requiring calls from each evaluating trustee. He also appreciated that the evaluations would be based upon the same set of reference responses, which would lead toward consistent review.

Mr. Guajardo requests that the Board consider authorizing the Director of Purchasing to coordinate the completion of reference checks for the evaluating trustees, and to submit the completed responses to the trustees by the end of day on Friday, January 29, 2021.

### **Evaluation Summaries**

Mr. Rene Guajardo further noted that the process requires the independent completion of evaluations by each Committee member, before the Committee meets to discuss the qualifications. Mr. Guajardo confirmed with administration that the standard operating practice for procurement at South Texas College is to have an impartial Purchasing Department staff member receive all of the evaluation forms and compile the evaluations into a summary sheet that provides a convenient review of each evaluator's scoring.

This process also allows the Purchasing Department to provide a procedural overview of the process and to follow up with the evaluation committee members as necessary to accurately summarize the results of their evaluations.

Mr. Guajardo requests that the Board consider authorizing the Director of Purchasing to coordinate the review and compilation of the trustees' independent evaluations into a summary sheet for presentation to the Finance, Audit, and Human Resources Committee on Tuesday, February 9, 2021. This would require that the evaluations be submitted to the College by the end of day on Tuesday, February 2, 2021.

### **Procedural Role of Staff**

Mr. Rene Guajardo has been clear that the role of staff in these processes would be solely procedural, and that the critical role of evaluating the qualifications would remain the sole responsibility of the Finance, Audit, and Human Resources Committee, followed by their recommendation for review and action as necessary by the Board of Trustees.

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the Director of Purchasing to coordinate the completion of reference checks as necessary for the Financial Advisory and Continuing Disclosure Services evaluation, and to compile the final evaluations of those qualifications into a summary sheet for presentation to the Finance, Audit, and Human Resources Committee, as outlined above.

### **The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes the Director of Purchasing to coordinate the completion of reference checks as necessary for the Financial Advisory and Continuing Disclosure Services evaluation, and to compile the final evaluations of those qualifications into a summary sheet for presentation to the Finance, Audit, and Human Resources Committee, as outlined above.

### **Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

**Presentation of the Delinquent Tax Collection Report for the Period  
Ending November 30, 2020**

Ms. Kelly R. Salazar from Linebarger Goggan Blair & Sampson, LLP, will provide the Board with the Delinquent Tax Collection Report for the period of September 1, 2020 through November 30, 2020.

The Delinquent Tax Collection Report is provided in the packet for the Board's review.

The packet also includes correspondence from Linebarger Goggan Blair & Sampson, LLP regarding a resolution by Hidalgo County Commissioners Court authorizing the tax resale of struck-off properties as listed. All of these properties were non-homestead designated properties, and were previously foreclosed. The Board is not asked to act on this item, and it is provided for the Board's information only.

No action is required.



## South Texas College Delinquent Tax Collection Report

### Prepared for:

Dr. David Plummer, Interim President  
Rose Benavidez, Chair  
Dr. Alejo Salinas, Jr., Vice Chair  
Victoria Cantú, Secretary  
Paul R. Rodriguez, Member  
Gary Gurwitz, Member  
Rene Guajardo, Member  
Danny Guzman, Member



## Important Tax Cycle Dates



## Collection Activities –Hidalgo County

September 2020—November 2020

254 Lawsuits Filed—\$207,231

281 Lawsuits Disposed—\$220,420

62 Accounts Coded As Financially Affected  
by COVID 19

22,251 Incoming/Outgoing Calls

607 Property Inspections

2 Mailings—27,249 Statements Mailed

Fiscal Year to Date  
Linebarger collected

**\$1,136,285**

in base, penalty & interest  
in Hidalgo County

3

## Collection Activities –Starr County

September 2020—November 2020

65 Lawsuits Filed—\$116,162

23 Lawsuits Disposed—\$25,677

66 In Office Taxpayer Assistance

834 Incoming/Outgoing Calls

133 Property Inspections

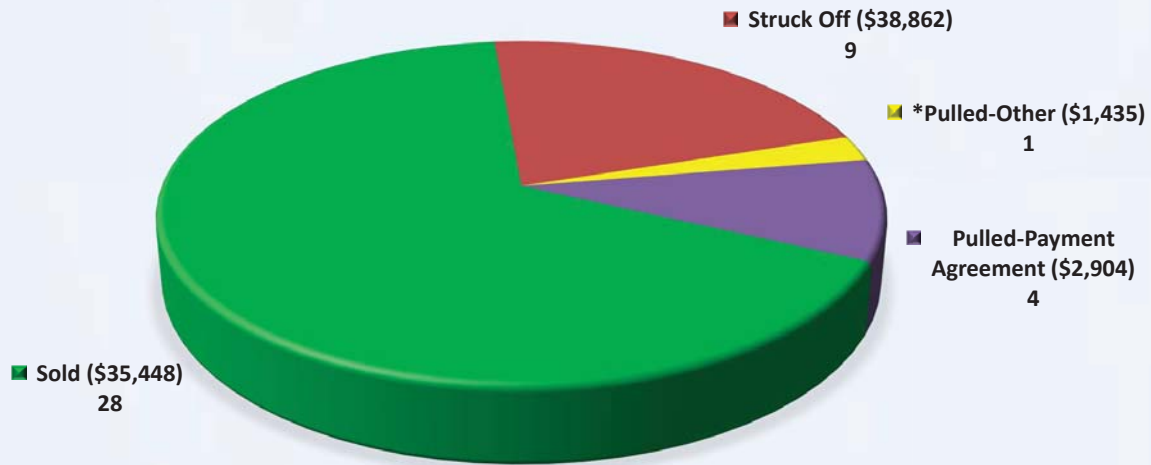
Fiscal Year to Date  
Linebarger collected

**\$147,099**

in base, penalty & interest  
in Starr County

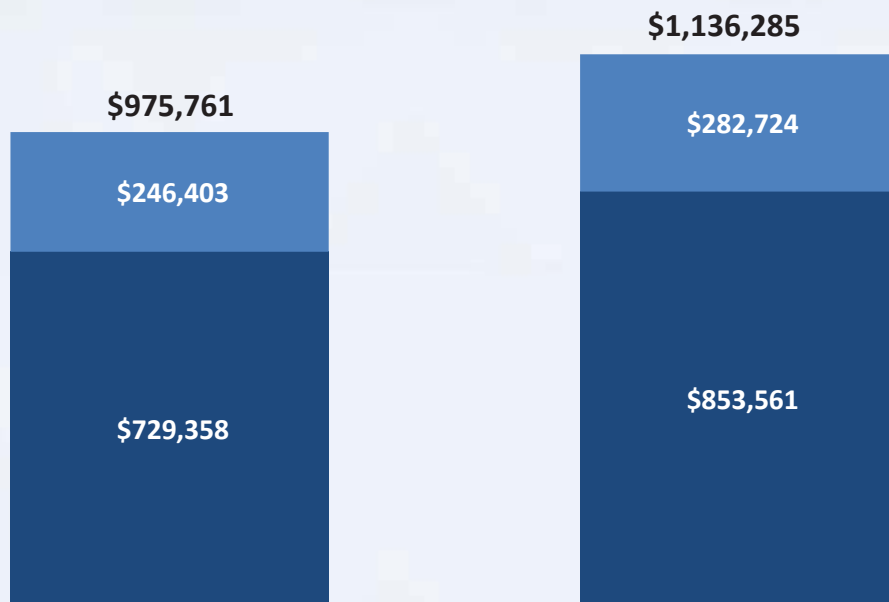
4

## Tax Sale Results—Hidalgo County September—November Base Tax, Penalty and Interest



\*Pulled—Other: Bankruptcy, Letters of Commitment & Deferrals

## Collection Comparison—Hidalgo County September through November



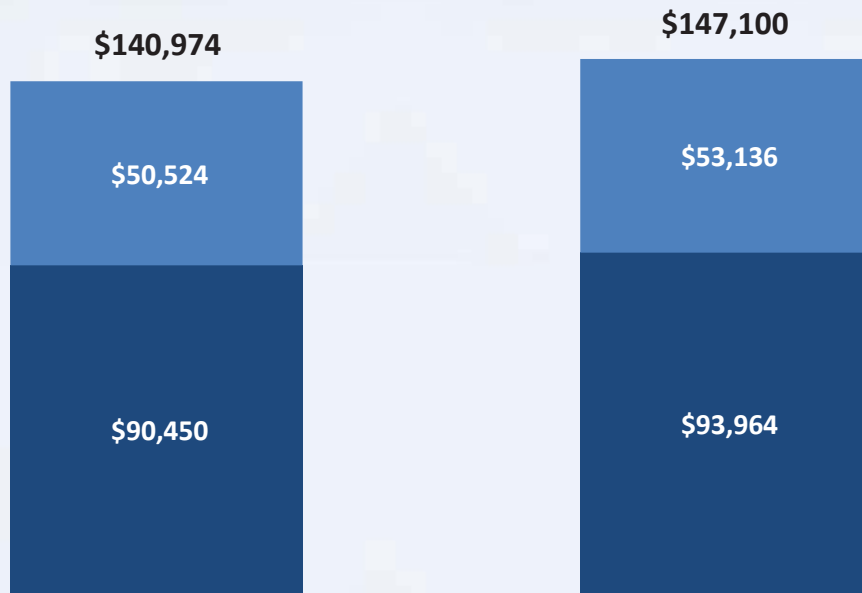
SEPTEMBER 2019 - NOVEMBER 2019  
DTR: \$9,017,849

SEPTEMBER 2020 - NOVEMBER 2020  
DTR: \$9,376,076

Source: Hidalgo County Tax Office Data



## Collection Comparison—Starr County September through November



SEPTEMBER 2019 - NOVEMBER 2019  
DTR: \$3,839,156

SEPTEMBER 2020 - NOVEMBER 2020  
DTR: \$4,068,521

Source: Starr County Tax Office Data



## South Texas College Delinquent Tax Collection Report

# Thank you

**LINEBARGER GOGGAN BLAIR & SAMPSON, LLP**

ATTORNEYS AT LAW  
1512 S. Lone Star Way  
EDINBURG, TEXAS 78539

Telephone: (956) 383-4500  
Facsimile: (956) 383-7820

December 21, 2020

Dr. David Plummer, Interim-President  
South Texas College  
3201 W. Pecan Blvd.  
McAllen, Texas 78501

RE: Tax Resale Properties

Dear Dr. Plummer,

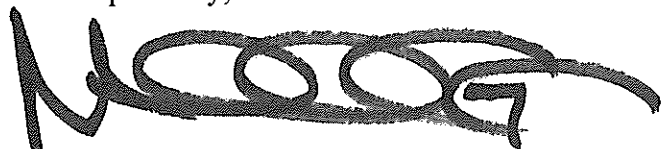
Enclosed is a signed resolution recently approved by Hidalgo County Commissioners Court authorizing our firm to proceed with the tax resale of the struck-off properties listed on attached Exhibit A. The tax resale will take place at the west side of the Administrative Building located at 2802 South Business Highway 281, Edinburg, Texas 78539 (by public auction) on Tuesday, **FEBRUARY 02, 2021**, at 10:30 am.

All of the properties listed on Exhibit A were previously foreclosed upon and put up for tax sale, but the properties failed to receive the required minimum bids and were therefore struck-off to the taxing entities. Additionally, all of the properties were *non-homestead* designated properties and therefore no longer have a right of redemption. Therefore, in accordance with Sec. 34.05 of the Texas Property Tax Code, our firm will proceed to place the properties up for *resale* at a public auction on February 02, 2021, and the proceeds will be applied pro-rata amongst *all* of the taxing entities respective interest in each property.

This item does not need to be placed on your agenda for official approval; it is being provided to you for *informational* purposes only. However, I strongly recommend reviewing the attached Exhibit A and *immediately* contact my office if your taxing entity has an interest/concern in a particular property and wishes that it not be sold. Otherwise, all of the properties will be sold on February 02, 2021, without any further approval by any of the interested taxing entities.

If you have any questions about any particular property and/or about the tax sale/resale process, please do not hesitate to contact me.

Respectfully,

A handwritten signature in dark ink, appearing to read "M. G. Cano", with a stylized flourish extending from the end.

Michael G. Cano  
Partner

RESOLUTION NO. \_\_\_\_\_

FILED
AT <u>12:00</u> O'CLOCK <u>9</u> M
DEC 17 2020
ARTURO GUJARDO, JR. COUNTY CLERK HIDALGO COUNTY, TEXAS
BY <u>[Signature]</u> DEPUTY

AUTHORIZING THE RESALE OF PROPERTIES ON THE ATTACHED AND INCORPORATED EXHIBIT A, FOR FAILURE TO PAY AD VALOREM TAXES DUE TO THE COUNTY OF HIDALGO, IN ACCORDANCE WITH SEC. 34.05 OF THE TEXAS PROPERTY TAX CODE.

WHEREAS, the County of Hidalgo is a taxing entity in the State of Texas and is duly authorized to levy and collect taxes on property located within its taxing jurisdiction; and

WHEREAS, the taxing authorities located within the County of Hidalgo hold in trust all properties in their jurisdiction that were previously foreclosed upon and not sold at tax sale ("struck-off") because the opening bid was not met; and

WHEREAS, the County of Hidalgo, as a taxing jurisdiction that is entitled to receive proceeds of the sale of such previously struck-off properties, desires that such properties be placed for resale in accordance with Sec. 34.05 of the Texas Property Code; and

WHEREAS, the County of Hidalgo desires to receive the highest possible bid for each struck-off property so that such properties may be returned to the tax rolls; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY OF HIDALGO THAT

1. The governing body of the County of Hidalgo authorizes its County Constable(s) to resale the struck-off properties on the attached Exhibit A by public auction in accordance with Sec. 34.05 of the Texas Property Tax Code and to accept the highest bid for each struck-off property.
2. After such resale is conducted and monies received, the County of Hidalgo authorizes its ad valorem tax attorneys (Linebarger) to pay all costs of resale in accordance with the Texas Property Tax Code and to prorate the remaining monies amongst all of the taxing jurisdictions in accordance with the balances found to be owed in the final judgment, which was approved by a court of proper jurisdiction.

3. The County of Hidalgo authorizes its County Constable(s) to execute the necessary resale deeds upon the payment of its prorated share of the tax resale proceeds without further action from this governing body.
4. This resolution is adopted in accordance with all requirements and is in effect as of December 15, 2020.

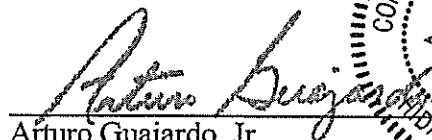
County of Hidalgo



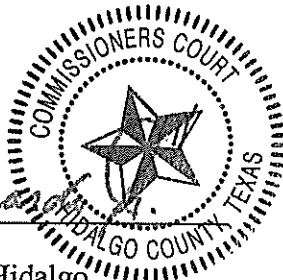
Hon. Richard F. Cortez

County Judge, County of Hidalgo

ATTEST:



Arturo Guajardo, Jr.  
County Clerk, County of Hidalgo



APPROVED BY  
COMMISSIONERS' COURT  
ON: 12/15/20 ms

**LINEBARGER GOGGAN BLAIR & SAMPSON, LLP**  
**HIDALGO COUNTY TAX RESALE LIST**

#	SUIT NUMBER	LEGAL DESCRIPTION	ACCOUNT NUMBER
01.	T-138-04-C	Tract 1: Lot 4, South Tower Estates Subdivision, a subdivision in Hidalgo County, Texas, as described in Warranty Deed recorded in Volume 2241, Page 719, Official Records, Hidalgo County Texas.	S4770-00-000-0004-00
02.	T-138-04-C	Tract 8: Lot 87, South Tower Estates, an addition to Hidalgo County, Texas, as described in Tract 8, in Clerk's File #475909, and Corrected Warranty Deed, Document # 842502, Official Records of Hidalgo County, Texas.	S4770-00-000-0087-00
03.	T-138-04-C	Tract 11: Lot 263, South Tower Estates, an addition to Hidalgo County, Texas, as described in Tract 8, in Clerk's File #475909, and Corrected Warranty Deed, Document # 842502, Official Records of Hidalgo County, Texas.	S4770-00-000-0263-00
04.	T-1363-08-A	Lot 4, Block 14, Original Townsite to the City of Hidalgo, Hidalgo County, Texas, according to the map or plat thereof, recorded in Volume 4, Page 33, Map Records of Hidalgo County, Texas.	H2500-00-014-0004-00
05.	T-1208-12-I	Tract No. 1: Improvements only located on the West 1/2 of Lot 10, Block 111, Mission Original Townsite, an additon to the City of Mission, Hidalgo County, Texas.Deleted and combine for 2011 and now being assessed on the tax roll on Account No. M5200-00-111-0010-05. & Tract No. 2: The West 75.00 feet of Lot 10 and the West 75.00 feet of the South 25.00 feet of Lot 11, Block 111, Original Townsite to the City of Mission, Hidalgo County, Texas, according to the map or plat thereof, recorded in Volume "Z", Page 320, Deed Records of Hidalgo County, Texas.	M5200-98-111-0010-10 & M5200-00-111-0010-05
06.	T-2963-12-B	229.4 feet by 150 feet, containing 0.79 acres, more or less, out of the Southeast corner of the South 4.79 acres of the West 20 acres out of Farm Tract 465, West Tract Subdivision, a subdivision in Hidalgo County, Texas, as described in Volume 1109, Page 399, Deed Records of Hidalgo County, Texas.	W3800-00-465-0000-01
07.	T-0425-13-E	2.33 acres, more or less, out of the South 10.0 acres of Lot 4, Block 12, of the Resubdivision of Blocks 11 and 12, Lott Town and Improvement Company Subdivision, a subdivision in Hidalgo County, Texas, as described as Tract 3 in deed dated March 9, 2004 from Roman Bermea to Rodolfo Perez et ux, in Clerk's File #2004-1357214, Official Records of Hidalgo County, Texas.	L0250-00-012-0004-01

08.	T-1705-13-D	A 0.50 acre tract of land, more or less, out of Lot 446, John H. Shary Subdivision, Hidalgo County, Texas, according to the map recorded in Volume 1, Page 17, Map Records in the Office of the County Clerk of Hidalgo County, Texas	S2950-00-000-0446-17
09.	T-0104-14-A	0.08 acre, more or less, out of Lot 401, John H. Shary Subdivision, a subdivision in Hidalgo County, Texas, as described in deed dated August 18, 1998, from Josefa Villarreal to Arminda Salazar, in Clerks File #708833, Official Records of Hidalgo County, Texas.	S2950-00-000-0401-56
10.	T-1004-14-B	Lot 246, South Tower Estates Subdivision, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 24, Page 86, Map Records, Hidalgo County, Texas.	S4770-00-000-0246-00
11.	T-1400-14-E	Lot 4, Block 1, Colonia Hidalgo, an addition to the City of Donna, Hidalgo County, Texas, according to the map recorded in Volume 5, Page 14, Map Records in the Office of the County Clerk of Hidalgo County, Texas.	C7200-00-001-0004-00
12.	T-2008-14-E	Lot 12, Block 256, City of Mission, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 2, Page, 22, Map Records, Hidalgo County, Texas.	M5200-00-256-0012-00
13.	T-2467-14-E	6.03 acres, more or less, out of Lot 15-3, West Addition to Sharyland, a subdivision in Hidalgo County, Texas, as described in deed dated September 12, 1981, from Maria R. Longoria to Rebecca Longoria Olivarez, in Volume 1743, Page 552, Deed Records of Hidalgo County, Texas.	W0100-00-015-0003-00
14.	T-2523-14-D	Lot 19, Block 2, Original Townsite of Madero, Hidalgo County, Texas, according to the map or plat thereof, recorded in Volume 2, Page 45, Map Records of Hidalgo County, Texas.	M0350-00-002-0019-00
15.	T-0108-15-I	Tract 1: Lots 10 and 11, Block 86, Hackberry Subdivision, an addition to Hidalgo County, Texas, according to the map or plat thereof, recorded in Volume 7, Page 16, Map Records of Hidalgo County, Texas.	H0450-00-086-0010-00
16.	T-0247-15-A	The North One-Half (N 1/2) of Lot Twenty-Eight (28), Block Three (3), Gonzalez-Zamora Subdivision, Hidalgo County, Texas, as per map and plat thereof on file and of record in the Office of the County Clerk of Hidalgo County, Texas.	G5700-00-003-0028-01
17.	T-0402-15-A	Lots 11 and 12, Block 7, Townsite of Madero, an addition to Hidalgo County, Texas, according to the map or plat thereof, recorded in Volume 2, Page 45, Map Records of Hidalgo County, Texas.	M0350-00-007-0011-00
18.	T-0804-15-A	Lot 9, Block 4, Middle Donna Addition, an addition to the City of Donna, Hidalgo County, Texas, as described in Clerk's File #424493, Official Records of Hidalgo County, Texas.	M4100-00-004-0009-00

19.	T-0373-16-C	Lot 3, Block 186, an addition to the City of Mission, Hidalgo County, Texas, as described in Volume 3015, Page 25, Official Records of Hidalgo County, Texas.	M5200-00-186-0003-00
20.	T-1036-16-F	Lot Sixteen (16) of Hackberry Homesites, a subdivision of Lot Fifty (50) of Block One (1) of the C. E. Hammond Subdivision, out of Porciones 61, 62 and 63, Hidalgo County, Texas, the map of Hackberry Homesites having been recorded in Volume 7, Page 54, of the Map Records of Hidalgo County, Texas.	H0500-00-001-0016-00
21.	T-086-08-C & T-1614-16-B	<p>All that certain tract of land being a portion of Lot 2, Block 6, John Closner etal Subdivision, Hidalgo County, Texas, described as 2.095 acres, more or less, in deed dated February 28, 1972, from D. U. Buckner to Francisco Garcia etux, in volume 1313, Page 817, Deed Records of Hidalgo County, Texas: Save &amp; Except however, the following:</p> <p>a. that certain 1.048 acre tract described in Clerk's File #375689, Deed Records of Hidalgo County, Texas; and b. that certain 0.215 acre tract described in Volume 1702, Page 308, Deed Records of Hidalgo County, Texas; leaving herein a residue of 0.832 acre, more or less.</p> <p>Tract 1: All that certain tract of land out of Lot 2, Block 6, John Closner etal Subdivision, a subdivision in Hidalgo County, Texas, described as 2.09 acres, more or less, in deed dated February 28, 1972, from D. U. Buckner to Francisco Garcia etux, in Volume 1313, Page 817, Deed Records of Hidalgo County, Texas; SAVE &amp; EXCEPT however, the following: a. that certain 0.22 acre tract described in Volume 1702, Page 308, Deed Records of Hidalgo County, Texas; b. that certain 0.18 acre tract described in Volume 2482, Page 625, Official Records of Hidalgo County, Texas; c. that certain 0.5237 acre tract described in Clerk's File #375689, Official Records of Hidalgo County, Texas; d. that certain 0.135 acre tract described in Clerk's File #410678, Official Records of Hidalgo County, Texas; and e. that certain 0.0845 acre tract described in Clerk's File #659244, Official Records of Hidalgo County, Texas; leaving herein a residue of 0.9468 acre, more or less.</p> <p>&amp;</p> <p>Tract 2: Combined with J5700-00-006-0002-01; Improvements only located on the South 303 feet of the East 74 feet of the West 744 feet of the North 487 feet out of Lot 2, Block 6, John Closner.</p>	J5700-00-006-0002-01 & J5700-98-006-0002-02
22.	T-0037-17-F	0.50 acre, more or less, out of Block 3, Llano Grande Subdivision, a subdivision Hidalgo County, Texas, as described in deed dated March 13, 2012, from Diana Dinora Cantu to Eva Y. Oviedo, in Clerk's File #2290352, Official Records of Hidalgo County, Texas.	L5025-00-000-0093-25

**DISCLAIMER—RESALE LIST IS PRELIMINARY AND SUBJECT TO CHANGE**

## **Presentation of the Quarterly Investment Report for the Period Ending November 30, 2020**

A report on the College's Quarterly Investment Report for the Quarter Ended November 30, 2020, is being presented. The Board is asked to approve the Investment Report as presented.

Purpose – Ms. Susan Anderson from Valley View Consulting, L.L.C. will present on the status of the College's Quarterly Investment Report for the Quarter Ended November 30, 2020 and provide a further update at the meeting. Ms. Anderson will present an overview of the investments, the annual interest earnings, the quarterly interest earnings, and economic overview.

Justification – The report being presented will provide a brief review and update of the College's Quarterly Investment Report for the Quarter Ended November 30, 2020 to the College's Board of Trustees.

Background – The Texas Public Funds Information Act (PFIA) and the College's Policy #5120: *Investment Policy and Investment Strategy Statement*, requires an Investment Report to be prepared and submitted to the Board of Trustees and the President quarterly.

Reviewers - The Vice President for Finance and Administrative Services, Business Office staff, and Valley View Consulting, L.L.C. (Investment Advisor) have reviewed the information being presented.

Enclosed Documents – A copy of the Quarterly Investment Report for the Quarter Ended November 30, 2020 follows in the packet for the Board's information and review.

Dr. David Plummer, Interim President, and Mary Elizondo, Vice President for Finance and Administrative Services, will be present at the Board Meeting to address any questions.

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the Quarterly Investment Report for the Quarter Ended November 30, 2020, as presented.

### **The following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees approves and authorizes the Quarterly Investment Report for the Quarter Ended November 30, 2020, as presented.

### **Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**





## QUARTERLY INVESTMENT REPORT

For the Quarter Ended

November 30, 2020

Prepared by

Valley View Consulting, L.L.C.

The investment portfolio of the South Texas College is in compliance with the Public Funds Investment Act and the South Texas College Investment Policy.

Maria G. Elizondo, Vice President for Finance & Administrative Services	Date
Myriam Lopez, Comptroller	Date
Paul R. Rodriguez, Board of Trustees, Designated Investment Officer	Date

**Disclaimer:** These reports were compiled using information provided by the South Texas College. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment adviser fees.

## Summary

### Quarter End Results by Investment Category:

Asset Type	August 31, 2020		November 30, 2020		
	Book Value	Market Value	Book Value	Market Value	Ave. Yield
DDA/MMA/NOW	\$ 130,449,643.64	\$ 130,449,643.64	\$ 89,661,021.65	\$ 89,661,021.65	0.30%
Pools	11,614,078.08	11,614,078.08	11,617,976.61	11,617,976.61	0.12%
CD/Security	150,516,717.94	150,516,717.94	183,028,609.54	183,028,609.54	1.16%
<b>Totals</b>	<b>\$ 292,580,439.66</b>	<b>\$ 292,580,439.66</b>	<b>\$ 284,307,607.80</b>	<b>\$ 284,307,607.80</b>	<b>0.85%</b>

#### Current Quarter Portfolio Performance (1)

Average Quarterly Yield	0.85%
Rolling Three Month Treasury	0.10%
Rolling Six Month Treasury	0.13%
TexPool	0.12%

#### Year-to-Date Portfolio Performance (2)

Average Quarter End Yield	0.85%
Rolling Three Month Treasury	0.10%
Rolling Six Month Treasury	0.13%
TexPool	0.12%

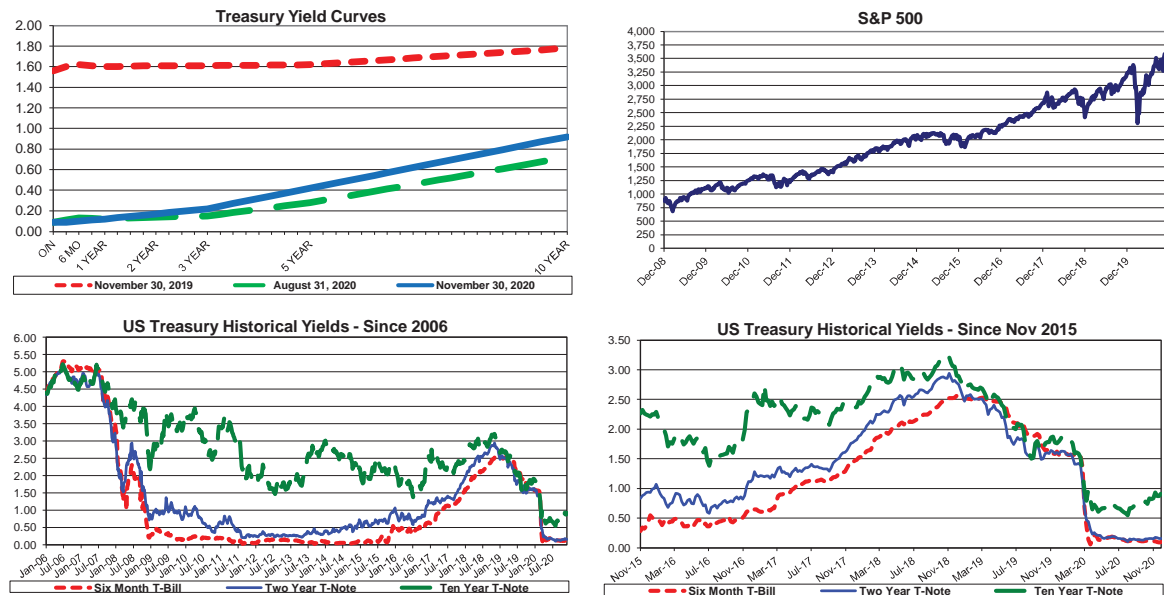
### INTEREST EARNINGS

	PRIOR YEAR	CURRENT YEAR
Quarterly Interest Received	\$1,397,482.98 (Unaudited)	\$693,932.55 (Unaudited)
Accrued Interest-End of Quarter	\$159,223.44 (Unaudited)	\$70,509.14 (Unaudited)
Fiscal YTD Interest Received	\$1,397,482.98 (Unaudited)	\$693,932.55 (Unaudited)

(1) **Current Quarter Portfolio Performance** - yields based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank, pool, and money market balances. □

(2) **Fiscal Year-to-Date Performance** - yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range at 0.00% to 0.25% (Effective Fed Funds are trading +/-0.10%), and projected that reduced rates could remain into 2024. Second estimate of Third Quarter GDP was unchanged at +33.1%. The Yield Curve steepened at the longer end. Crude oil remained above \$40 per barrel. October Non Farm Payroll added 245k workers. The Unemployment Rate fell to 6.7%. The Stock Markets reached new highs. Housing continues adding positive economic activity. Additional fiscal stimulus is still pending.



Valley View Consulting, L.L.C.

2

### Investment Holdings November 30, 2020

Description	Rating	Coupon/Discount	Maturity Date	Settlement Date	Original Face/Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
BBVA - Operating		0.40%	12/01/20	11/30/20	\$ 21,071,421.72	\$ 21,071,421.72	1.00	\$ 21,071,421.72	1	0.40%
BBVA - Payroll		0.40%	12/01/20	11/30/20	135,459.03	135,459.03	1.00	135,459.03	1	0.40%
BBVA - Student		0.40%	12/01/20	11/30/20	349,657.95	349,657.95	1.00	349,657.95	1	0.40%
BBVA - Operating Reserve (3)		0.00%	12/01/20	11/30/20	20,000,000.00	20,000,000.00	1.00	20,000,000.00	1	0.00%
BBVA - I&S Bond 96,02,03,04,07,10,14,15		0.40%	12/01/20	11/30/20	1,328,605.50	1,328,605.50	1.00	1,328,605.50	1	0.40%
BBVA - Construction E&G Transfer		0.40%	12/01/20	11/30/20	4,822,041.03	4,822,041.03	1.00	4,822,041.03	1	0.40%
Veritex (Green) Bank MMA		0.18%	12/01/20	11/30/20	10,554,514.61	10,554,514.61	1.00	10,554,514.61	1	0.18%
NexBank MMA		0.45%	12/01/20	11/30/20	31,399,321.81	31,399,321.81	1.00	31,399,321.81	1	0.45%
TexPool LGIP	AAAm	0.12%	12/01/20	11/30/20	11,617,976.61	11,617,976.61	1.00	11,617,976.61	1	0.12%
East West Bank CD		0.27%	01/29/21	09/11/20	3,001,798.08	3,001,798.08	100.00	3,001,798.08	60	0.27%
East West Bank CD		1.69%	03/01/21	01/21/20	5,580,803.13	5,580,803.13	100.00	5,580,803.13	91	1.69%
BBVA CD		2.66%	03/02/21	05/09/19	5,204,151.79	5,204,151.79	100.00	5,204,151.79	92	2.66%
BTH Bank CD		2.76%	03/02/21	03/08/19	5,236,148.75	5,236,148.75	100.00	5,236,148.75	92	2.76%
East West Bank CD		0.27%	03/11/21	09/11/20	750,449.52	750,449.52	100.00	750,449.52	101	0.27%
East West Bank CD		0.39%	03/15/21	07/23/20	2,503,501.74	2,503,501.74	100.00	2,503,501.74	105	0.39%
Bank OZK CD		0.60%	04/01/21	05/14/20	5,015,167.63	5,015,167.63	100.00	5,015,167.63	122	0.60%
BBVA CD		2.65%	04/02/21	05/09/19	5,203,368.89	5,203,368.89	100.00	5,203,368.89	123	2.65%
East West Bank CD		0.39%	04/15/21	07/23/20	2,503,501.74	2,503,501.74	100.00	2,503,501.74	136	0.39%
East West Bank CD		0.27%	04/20/21	10/20/20	4,001,242.93	4,001,242.93	100.00	4,001,242.93	141	0.27%
East West Bank CD		1.53%	05/03/21	02/27/20	5,564,465.85	5,564,465.85	100.00	5,564,465.85	154	1.53%
BBVA CD		2.64%	05/03/21	05/09/19	5,202,586.18	5,202,586.18	100.00	5,202,586.18	154	2.64%
East West Bank CD		0.39%	05/14/21	07/23/20	3,004,202.08	3,004,202.08	100.00	3,004,202.08	165	0.39%
Bank OZK CD		0.60%	06/01/21	05/14/20	5,015,167.63	5,015,167.63	100.00	5,015,167.63	183	0.60%
BBVA CD		2.09%	06/02/21	07/11/19	5,141,723.94	5,141,723.94	100.00	5,141,723.94	184	2.09%
East West Bank CD		1.53%	07/01/21	02/27/20	8,093,768.51	8,093,768.51	100.00	8,093,768.51	213	1.53%
BBVA CD		2.07%	07/02/21	07/11/19	3,084,209.34	3,084,209.34	100.00	3,084,209.34	214	2.07%
Texas Regional Bank CD		0.38%	07/30/21	09/11/20	1,000,000.00	1,000,000.00	100.00	1,000,000.00	242	0.38%
East West Bank CD		1.80%	08/02/21	10/04/19	10,211,292.13	10,211,292.13	100.00	10,211,292.13	245	1.80%
East West Bank CD		0.28%	08/02/21	09/11/20	9,005,594.02	9,005,594.02	100.00	9,005,594.02	245	0.28%
BBVA CD		0.25%	08/31/21	08/31/20	15,109.41	15,109.41	100.00	15,109.41	274	0.25%
BBVA CD		0.25%	08/31/21	08/31/20	116,771.19	116,771.19	100.00	116,771.19	274	0.25%
BBVA CD		0.25%	08/31/21	08/31/20	200,222.07	200,222.07	100.00	200,222.07	274	0.25%
East West Bank CD		1.79%	09/02/21	10/04/19	10,210,105.95	10,210,105.95	100.00	10,210,105.95	276	1.79%
Texas Regional Bank CD		0.40%	09/15/21	09/11/20	1,000,000.00	1,000,000.00	100.00	1,000,000.00	289	0.40%
Bank OZK CD		0.30%	09/15/21	09/11/20	2,761,502.64	2,761,502.64	100.00	2,761,502.64	289	0.30%
East West Bank CD		1.48%	10/01/21	02/27/20	8,090,686.86	8,090,686.86	100.00	8,090,686.86	305	1.48%
East West Bank CD		1.78%	10/04/21	10/04/19	3,062,675.97	3,062,675.97	100.00	3,062,675.97	308	1.78%
East West Bank CD		1.78%	10/04/21	10/04/19	3,062,675.97	3,062,675.97	100.00	3,062,675.97	308	1.78%
East West Bank CD		1.64%	11/01/21	01/21/20	10,142,537.34	10,142,537.34	100.00	10,142,537.34	336	1.64%
Bank OZK CD		0.68%	03/01/22	05/14/20	8,027,503.21	8,027,503.21	100.00	8,027,503.21	456	0.68%
Texas Regional Bank CD		0.45%	04/15/22	09/11/20	1,000,000.00	1,000,000.00	100.00	1,000,000.00	501	0.45%

**Investment Holdings**  
**November 30, 2020**

Description	Rating	Coupon/ Discount	Maturity Date	Settlement Date	Original Face/ Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
BBVA CD		0.25%	04/15/22	09/10/20	4,001,671.58	4,001,671.58	100.00	4,001,671.58	501	0.25%
Bank OZK CD		0.32%	04/19/22	09/11/20	5,002,674.33	5,002,674.33	100.00	5,002,674.33	505	0.32%
Texas Regional Bank CD		0.45%	05/16/22	09/11/20	1,000,000.00	1,000,000.00	100.00	1,000,000.00	532	0.45%
BBVA CD		0.25%	05/16/22	09/10/20	4,001,671.58	4,001,671.58	100.00	4,001,671.58	532	0.25%
Bank OZK CD		0.33%	05/18/22	09/11/20	5,002,757.91	5,002,757.91	100.00	5,002,757.91	534	0.33%
Texas Regional Bank CD		0.50%	06/15/22	09/11/20	1,000,000.00	1,000,000.00	100.00	1,000,000.00	562	0.50%
Bank OZK CD		0.34%	06/15/22	09/11/20	5,002,841.50	5,002,841.50	100.00	5,002,841.50	562	0.34%
BBVA CD		0.25%	06/15/22	09/10/20	4,001,671.58	4,001,671.58	100.00	4,001,671.58	562	0.25%
Bank OZK CD		0.28%	07/15/22	10/21/20	3,000,715.97	3,000,715.97	100.00	3,000,715.97	592	0.28%
Bank OZK CD		0.28%	08/15/22	10/21/20	3,000,715.97	3,000,715.97	100.00	3,000,715.97	623	0.28%
Bank OZK CD		0.28%	09/15/22	10/21/20	4,000,954.63	4,000,954.63	100.00	4,000,954.63	654	0.28%
Allegiance Bank CD		0.30%	10/14/22	10/21/20	2,000,000.00	2,000,000.00	100.00	2,000,000.00	683	0.30%
					<b>\$ 284,307,607.80</b>	<b>\$ 284,307,607.80</b>		<b>\$ 284,307,607.80</b>	<b>192</b>	<b>0.85%</b>
									(1)	(2)

(1) **Weighted average life** - Pools, Money Market Funds, and Bank Deposits are assumed to have a one day maturity.

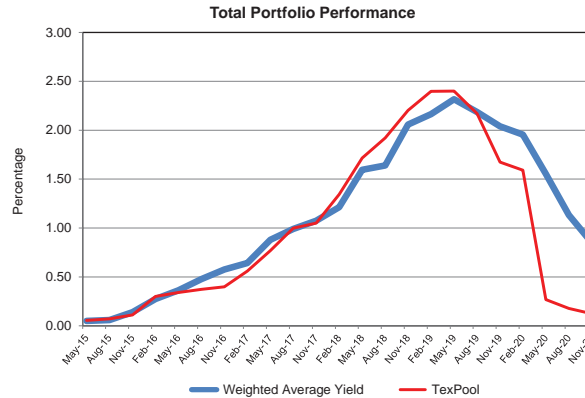
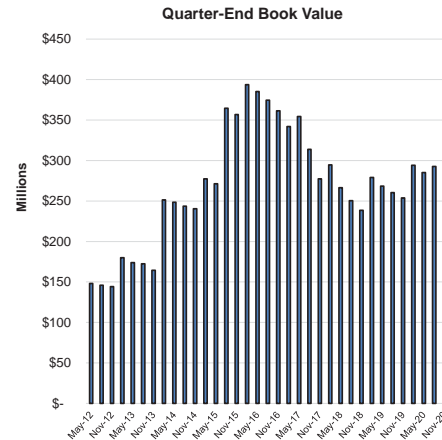
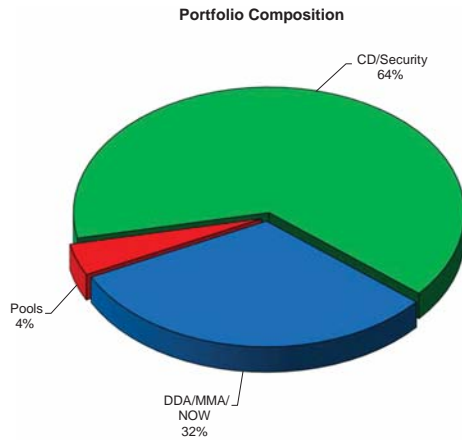
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on Adjusted Book Value, adviser fees and realized and unrealized gains/losses are not considered. The pool and mutual fund yields are the average for the last month of the quarter. Bank deposit yields are estimated from the monthly allocated earnings.

(3) **Compensating Balances** - although shown as a 0% coupon/discount, the account generates an earnings credit to offset depository bank fees.

South Texas College

Valley View Consulting, L.L.C.

4



South Texas College

Valley View Consulting, L.L.C.

5

# Book and Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 08/31/20	Increases	Decreases	Book Value 11/30/20	Market Value 08/31/20	Change in Market Value	Market Value 11/30/20
BBVA - Operating	0.40%	12/01/20	\$30,609,765.09	\$ -	\$ (9,538,343)	\$21,071,421.72	\$30,609,765.09	\$ (9,538,343)	\$21,071,421.72
BBVA - Payroll	0.40%	12/01/20	127,772.47	7,687	-	135,459.03	127,772.47	7,687	135,459.03
BBVA - Student	0.40%	12/01/20	2,233,653.45	-	(1,883,996)	349,657.95	2,233,653.45	(1,883,996)	349,657.95
BBVA - Operating Reserve (3)	0.00%	12/01/20	20,000,000.00	-	-	20,000,000.00	20,000,000.00	-	20,000,000.00
BBVA - Federal Draw Down	0.40%	12/01/20	10,778,078.00	-	(10,778,078)	-	10,778,078.00	(10,778,078)	-
BBVA - I&S Bond 96,02,03,04,07,10,14,15	0.40%	12/01/20	13,093,103.31	-	(11,764,498)	1,328,605.50	13,093,103.31	(11,764,498)	1,328,605.50
BBVA - Construction E&G Transfer	0.40%	12/01/20	11,693,548.69	-	(6,871,508)	4,822,041.03	11,693,548.69	(6,871,508)	4,822,041.03
Veritex (Green) Bank MMA	0.18%	12/01/20	10,549,606.11	4,909	-	10,554,514.61	10,549,606.11	4,909	10,554,514.61
NexBank MMA	0.45%	12/01/20	31,364,116.52	35,205	-	31,399,321.81	31,364,116.52	35,205	31,399,321.81
TexPool LGIP	0.12%	12/01/20	11,614,078.08	3,899	-	11,617,976.61	11,614,078.08	3,899	11,617,976.61
Prosperity Bank CD	2.96%	09/01/20	5,291,415.35	-	(5,291,415)	-	5,291,415.35	(5,291,415)	-
BTH Bank CD	2.72%	09/02/20	3,118,164.44	-	(3,118,164)	-	3,118,164.44	(3,118,164)	-
Prosperity Bank CD	2.68%	09/02/20	2,077,505.45	-	(2,077,505)	-	2,077,505.45	(2,077,505)	-
East West Bank CD	3.06%	10/01/20	10,585,732.24	-	(10,585,732)	-	10,585,732.24	(10,585,732)	-
East West Bank CD	2.73%	11/02/20	10,436,273.65	-	(10,436,274)	-	10,436,273.65	(10,436,274)	-
East West Bank CD	0.27%	01/29/21	-	3,001,798	-	3,001,798.08	-	3,001,798	3,001,798.08
East West Bank CD	1.69%	03/01/21	5,557,338.83	23,464	-	5,580,803.13	5,557,338.83	23,464	5,580,803.13
BBVA CD	2.66%	03/02/21	5,169,472.39	34,679	-	5,204,151.79	5,169,472.39	34,679	5,204,151.79
BTH Bank CD	2.76%	03/02/21	5,199,890.67	36,258	-	5,236,148.75	5,199,890.67	36,258	5,236,148.75
East West Bank CD	0.27%	03/11/21	-	750,450	-	750,449.52	-	750,450	750,449.52
East West Bank CD	0.39%	03/15/21	2,501,068.71	2,433	-	2,503,501.74	2,501,068.71	2,433	2,503,501.74
Bank OZK CD	0.60%	04/01/21	5,007,578.07	7,590	-	5,015,167.63	5,007,578.07	7,590	5,015,167.63
BBVA CD	2.65%	04/02/21	5,168,824.63	34,544	-	5,203,368.89	5,168,824.63	34,544	5,203,368.89
East West Bank CD	0.39%	04/15/21	2,501,068.71	2,433	-	2,503,501.74	2,501,068.71	2,433	2,503,501.74
East West Bank CD	0.27%	04/20/21	-	4,001,243	-	4,001,242.93	-	4,001,243	4,001,242.93
East West Bank CD	1.53%	05/03/21	5,543,280.96	21,185	-	5,564,465.85	5,543,280.96	21,185	5,564,465.85
BBVA CD	2.64%	05/03/21	5,168,177.01	34,409	-	5,202,586.18	5,168,177.01	34,409	5,202,586.18
East West Bank CD	0.39%	05/14/21	3,001,282.46	2,920	-	3,004,202.08	3,001,282.46	2,920	3,004,202.08
Bank OZK CD	0.60%	06/01/21	5,007,578.07	7,590	-	5,015,167.63	5,007,578.07	7,590	5,015,167.63
BBVA CD	2.09%	06/02/21	5,114,783.23	26,941	-	5,141,723.94	5,114,783.23	26,941	5,141,723.94
East West Bank CD	1.53%	07/01/21	8,062,954.12	30,814	-	8,093,768.51	8,062,954.12	30,814	8,093,768.51
BBVA CD	2.07%	07/02/21	3,068,203.47	16,006	-	3,084,209.34	3,068,203.47	16,006	3,084,209.34
Texas Regional Bank CD	0.38%	07/30/21	-	1,000,000	-	1,000,000.00	-	1,000,000	1,000,000.00
East West Bank CD	1.80%	08/02/21	10,165,570.98	45,721	-	10,211,292.13	10,165,570.98	45,721	10,211,292.13
East West Bank CD	0.28%	08/02/21	-	9,005,594	-	9,005,594.02	-	9,005,594	9,005,594.02
BBVA CD	0.25%	08/31/21	15,100.00	9	-	15,109.41	15,100.00	9	15,109.41
BBVA CD	0.25%	08/31/21	116,700.00	71	-	116,771.19	116,700.00	71	116,771.19
BBVA CD	0.25%	08/31/21	200,100.00	122	-	200,222.07	200,100.00	122	200,222.07
East West Bank CD	1.79%	09/02/21	10,164,643.54	45,462	-	10,210,105.95	10,164,643.54	45,462	10,210,105.95
Texas Regional Bank CD	0.40%	09/15/21	-	1,000,000	-	1,000,000.00	-	1,000,000	1,000,000.00
Bank OZK CD	0.30%	09/15/21	-	2,761,503	-	2,761,502.64	-	2,761,503	2,761,502.64
East West Bank CD	1.48%	10/01/21	8,060,888.98	29,798	-	8,090,686.86	8,060,888.98	29,798	8,090,686.86
East West Bank CD	1.78%	10/04/21	3,049,114.85	13,561	-	3,062,675.97	3,049,114.85	13,561	3,062,675.97
East West Bank CD	1.78%	10/04/21	3,049,114.85	13,561	-	3,062,675.97	3,049,114.85	13,561	3,062,675.97
East West Bank CD	1.64%	11/01/21	10,101,152.47	41,385	-	10,142,537.34	10,101,152.47	41,385	10,142,537.34
Bank OZK CD	0.68%	03/01/22	8,013,739.81	13,763	-	8,027,503.21	8,013,739.81	13,763	8,027,503.21
Texas Regional Bank CD	0.45%	04/15/22	-	1,000,000	-	1,000,000.00	-	1,000,000	1,000,000.00

South Texas College

Valley View Consulting, L.L.C.

6

# Book and Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 08/31/20	Increases	Decreases	Book Value 11/30/20	Market Value 08/31/20	Change in Market Value	Market Value 11/30/20
BBVA CD	0.25%	04/15/22	-	4,001,672	-	4,001,671.58	-	4,001,672	4,001,671.58
Bank OZK CD	0.32%	04/19/22	-	5,002,674	-	5,002,674.33	-	5,002,674	5,002,674.33
Texas Regional Bank CD	0.45%	05/16/22	-	1,000,000	-	1,000,000.00	-	1,000,000	1,000,000.00
BBVA CD	0.25%	05/16/22	-	4,001,672	-	4,001,671.58	-	4,001,672	4,001,671.58
Bank OZK CD	0.33%	05/18/22	-	5,002,758	-	5,002,757.91	-	5,002,758	5,002,757.91
Texas Regional Bank CD	0.50%	06/15/22	-	1,000,000	-	1,000,000.00	-	1,000,000	1,000,000.00
Bank OZK CD	0.34%	06/15/22	-	5,002,842	-	5,002,841.50	-	5,002,842	5,002,841.50
BBVA CD	0.25%	06/15/22	-	4,001,672	-	4,001,671.58	-	4,001,672	4,001,671.58
Bank OZK CD	0.28%	07/15/22	-	3,000,716	-	3,000,715.97	-	3,000,716	3,000,715.97
Bank OZK CD	0.28%	08/15/22	-	3,000,716	-	3,000,715.97	-	3,000,716	3,000,715.97
Bank OZK CD	0.28%	09/15/22	-	4,000,955	-	4,000,954.63	-	4,000,955	4,000,954.63
Allegiance Bank CD	0.30%	10/14/22	-	2,000,000	-	2,000,000.00	-	2,000,000	2,000,000.00
<b>TOTALS / AVERAGE</b>	<b>0.85%</b>		<b>\$ 292,580,440</b>	<b>\$ 64,072,682</b>	<b>\$ (72,345,513)</b>	<b>\$ 284,307,608</b>	<b>\$ 292,580,440</b>	<b>\$ (8,272,832)</b>	<b>\$ 284,307,608</b>

South Texas College

Valley View Consulting, L.L.C.

7

**Allocation**  
**November 30, 2020**  
**Book & Market Value**

	<b>Total</b>	<b>Operating</b>	<b>Operating Construction</b>	<b>Endowment</b>	<b>Interest &amp; Sinking</b>
BBVA - Operating	\$ 21,071,421.72	\$ 21,071,421.72	\$ -	\$ -	\$ -
BBVA - Payroll	135,459.03	135,459.03	-	-	-
BBVA - Student	349,657.95	349,657.95	-	-	-
BBVA - Operating Reserve	20,000,000.00	20,000,000.00	-	-	-
BBVA - I&S Bond 96,02,03,04,07,10,14,15	1,328,605.50	-	-	-	1,328,605.50
BBVA - Construction E&G Transfer	4,822,041.03	-	4,822,041.03	-	-
Veritex (Green) Bank MMA	10,554,514.61	-	10,554,514.61	-	-
NexBank MMA	31,399,321.81	30,271,362.85	-	-	1,127,958.96
TexPool LGIP	11,617,976.61	-	10,985,309.33	-	632,667.28
01/29/21-East West Bank CD	3,001,798.08	-	3,001,798.08	-	-
03/01/21-East West Bank CD	5,580,803.13	5,580,803.13	-	-	-
03/02/21-BBVA CD	5,204,151.79	5,204,151.79	-	-	-
03/02/21-BTH Bank CD	5,236,148.75	-	5,236,148.75	-	-
03/11/21-East West Bank CD	750,449.52	-	750,449.52	-	-
03/15/21-East West Bank CD	2,503,501.74	2,503,501.74	-	-	-
04/01/21-Bank OZK CD	5,015,167.63	5,015,167.63	-	-	-
04/02/21-BBVA CD	5,203,368.89	5,203,368.89	-	-	-
04/15/21-East West Bank CD	2,503,501.74	2,503,501.74	-	-	-
04/20/21-East West Bank CD	4,001,242.93	-	4,001,242.93	-	-
05/03/21-East West Bank CD	5,564,465.85	5,564,465.85	-	-	-
05/03/21-BBVA CD	5,202,586.18	5,202,586.18	-	-	-
05/14/21-East West Bank CD	3,004,202.08	3,004,202.08	-	-	-
06/01/21-Bank OZK CD	5,015,167.63	5,015,167.63	-	-	-
06/02/21-BBVA CD	5,141,723.94	5,141,723.94	-	-	-
07/01/21-East West Bank CD	8,093,768.51	8,093,768.51	-	-	-
07/02/21-BBVA CD	3,084,209.34	3,084,209.34	-	-	-
07/30/21-Texas Regional Bank CD	1,000,000.00	-	-	-	1,000,000.00
08/02/21-East West Bank CD	10,211,292.13	10,211,292.13	-	-	-
08/02/21-East West Bank CD	9,005,594.02	-	-	-	9,005,594.02
08/31/21-BBVA CD	15,109.41	-	-	15,109.41	-
08/31/21-BBVA CD	116,771.19	-	-	116,771.19	-
08/31/21-BBVA CD	200,222.07	-	-	200,222.07	-
09/02/21-East West Bank CD	10,210,105.95	10,210,105.95	-	-	-
09/15/21-Texas Regional Bank CD	1,000,000.00	-	1,000,000.00	-	-
09/15/21-Bank OZK CD	2,761,502.64	-	-	-	2,761,502.64

South Texas College

Valley View Consulting, L.L.C.

8

**Allocation**  
**November 30, 2020**  
**Book & Market Value**

	<b>Total</b>	<b>Operating</b>	<b>Operating Construction</b>	<b>Endowment</b>	<b>Interest &amp; Sinking</b>
10/01/21-East West Bank CD	8,090,686.86	8,090,686.86	-	-	-
10/04/21-East West Bank CD	3,062,675.97	3,062,675.97	-	-	-
10/04/21-East West Bank CD	3,062,675.97	-	3,062,675.97	-	-
11/01/21-East West Bank CD	10,142,537.34	10,142,537.34	-	-	-
03/01/22-Bank OZK CD	8,027,503.21	8,027,503.21	-	-	-
04/15/22-Texas Regional Bank CD	1,000,000.00	1,000,000.00	-	-	-
04/15/22-BBVA CD	4,001,671.58	4,001,671.58	-	-	-
04/19/22-Bank OZK CD	5,002,674.33	5,002,674.33	-	-	-
05/16/22-Texas Regional Bank CD	1,000,000.00	1,000,000.00	-	-	-
05/16/22-BBVA CD	4,001,671.58	4,001,671.58	-	-	-
05/18/22-Bank OZK CD	5,002,757.91	5,002,757.91	-	-	-
06/15/22-Texas Regional Bank CD	1,000,000.00	1,000,000.00	-	-	-
06/15/22-Bank OZK CD	5,002,841.50	5,002,841.50	-	-	-
06/15/22-BBVA CD	4,001,671.58	4,001,671.58	-	-	-
07/15/22-Bank OZK CD	3,000,715.97	3,000,715.97	-	-	-
08/15/22-Bank OZK CD	3,000,715.97	3,000,715.97	-	-	-
09/15/22-Bank OZK CD	4,000,954.63	4,000,954.63	-	-	-
10/14/22-Allegiance Bank CD	2,000,000.00	2,000,000.00	-	-	-
<b>Totals</b>	<b>\$ 284,307,607.80</b>	<b>\$ 224,704,996.51</b>	<b>\$ 43,414,180.22</b>	<b>\$ 332,102.67</b>	<b>\$ 15,856,328.40</b>

South Texas College

Valley View Consulting, L.L.C.

9

**Allocation**  
**August 31, 2020**  
**Book & Market Value**

	Total	Operating	Operating Construction	Endowment	Interest & Sinking
BBVA - Operating	\$ 30,609,765.09	\$ 30,609,765.09	\$ -	\$ -	\$ -
BBVA - Payroll	127,772.47	127,772.47	-	-	-
BBVA - Student	2,233,653.45	2,233,653.45	-	-	-
BBVA - Operating Reserve	20,000,000.00	20,000,000.00	-	-	-
BBVA - Federal Draw Down	10,778,078.00	10,778,078.00	-	-	-
BBVA - I&S Bond 96,02,03,04,07,10,14,15	13,093,103.31	-	-	-	13,093,103.31
BBVA - Construction E&G Transfer	11,693,548.69	-	11,693,548.69	-	-
Veritex (Green) Bank MMA	10,549,606.11	-	10,549,606.11	-	-
NexBank MMA	31,364,116.52	30,237,422.08	-	-	1,126,694.44
TexPool LGIP	11,614,078.08	-	10,981,623.02	-	632,455.06
09/01/20-Prosperity Bank CD	5,291,415.35	5,291,415.35	-	-	-
09/02/20-BTH Bank CD	3,118,164.44	3,118,164.44	-	-	-
09/02/20-Prosperity Bank CD	2,077,505.45	2,077,505.45	-	-	-
10/01/20-East West Bank CD	10,585,732.24	10,585,732.24	-	-	-
11/02/20-East West Bank CD	10,436,273.65	10,436,273.65	-	-	-
03/01/21-East West Bank CD	5,557,338.83	5,557,338.83	-	-	-
03/02/21-BBVA CD	5,169,472.39	5,169,472.39	-	-	-
03/02/21-BTH Bank CD	5,199,890.67	-	5,199,890.67	-	-
03/15/21-East West Bank CD	2,501,068.71	2,501,068.71	-	-	-
04/01/21-Bank OZK CD	5,007,578.07	5,007,578.07	-	-	-
04/02/21-BBVA CD	5,168,824.63	5,168,824.63	-	-	-
04/15/21-East West Bank CD	2,501,068.71	2,501,068.71	-	-	-
05/03/21-East West Bank CD	5,543,280.96	5,543,280.96	-	-	-
05/03/21-BBVA CD	5,168,177.01	5,168,177.01	-	-	-
05/14/21-East West Bank CD	3,001,282.46	3,001,282.46	-	-	-
06/01/21-Bank OZK CD	5,007,578.07	5,007,578.07	-	-	-
06/02/21-BBVA CD	5,114,783.23	5,114,783.23	-	-	-
07/01/21-East West Bank CD	8,062,954.12	8,062,954.12	-	-	-
07/02/21-BBVA CD	3,068,203.47	3,068,203.47	-	-	-
08/02/21-East West Bank CD	10,165,570.98	10,165,570.98	-	-	-
08/31/21-BBVA CD	15,100.00	-	-	15,100.00	-
08/31/21-BBVA CD	116,700.00	-	-	116,700.00	-
08/31/21-BBVA CD	200,100.00	-	-	200,100.00	-
09/02/21-East West Bank CD	10,164,643.54	10,164,643.54	-	-	-
10/01/21-East West Bank CD	8,060,888.98	8,060,888.98	-	-	-

South Texas College

Valley View Consulting, L.L.C.

10

**Allocation**  
**August 31, 2020**  
**Book & Market Value**

	Total	Operating	Operating Construction	Endowment	Interest & Sinking
10/04/21-East West Bank CD	3,049,114.85	3,049,114.85	-	-	-
10/04/21-East West Bank CD	3,049,114.85	-	3,049,114.85	-	-
11/01/21-East West Bank CD	10,101,152.47	10,101,152.47	-	-	-
03/01/22-Bank OZK CD	8,013,739.81	8,013,739.81	-	-	-
<b>Totals</b>	<b>\$ 292,580,439.66</b>	<b>\$ 235,922,503.51</b>	<b>\$ 41,473,783.34</b>	<b>\$ 331,900.00</b>	<b>\$ 14,852,252.81</b>

South Texas College

Valley View Consulting, L.L.C.

11

**Investment Policy Compliance  
November 30, 2020**

<b>Authorized Investments</b>	<b>Maximum %</b>	<b>Actual Market Value</b>	<b>% of Portfolio</b>	<b>Status</b>
U.S. Treasury Bills/Notes/Bonds	100%	\$ —	0.0%	N/A
U.S. Agencies and Instrumentalities	100%	—	0.0%	N/A
States, Counties, Cities and Other	25%	—	0.0%	N/A
Financial Institution Deposits	100%	272,689,631	95.9%	Pass
Government Money Market Mutual Funds	25%	—	0.0%	N/A
Eligible Investment Pools	50%	11,617,977	4.1%	Pass
<b>Total</b>		<b>\$ 284,307,607.80</b>	<b>100.0%</b>	

## **Review and Action as Necessary on Consent Agenda Items from the Facilities Committee**

The following Consent Agenda items were thoroughly discussed by the Facilities Committee. All trustees, whether a member of the Committee or not, received all supporting documentation and were invited to participate in the deliberation on each item. Non-committee members did not participate in Committee votes for recommendation of Board action.

Administration believes that all questions raised during the Committee discussion of Consent Agenda items were resolved to the Committee's satisfaction at the meeting, and the items are presented here substantially as recommended by the Committee, for approval by the Board of Trustees.

Any trustee may identify an item or items that should be removed from the Consent Agenda for further discussion. Otherwise, the Board is asked to formally act on the full consent agenda, according to the details and recommended action presented for each item in the following pages.

The Facilities Committee recommended Board action on the following items as presented.

- 1) Approval to Contract Engineering Services for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement
- 2) Approval to Contract Mechanical, Electrical, and Plumbing (MEP) Engineering Services for the Regional Center for Public Safety Excellence Additional Chiller Installation
- 3) Approval of Proposed Change Order for the Pecan Campus Sand Volleyball Court Sand Replacement
- 4) Approval of Architectural Fee Adjustment for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project
- 5) Approval of Engineering Fee Adjustment for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive
- 6) Approval of Substantial Completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area
- 7) Approval of Final Completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation
- 8) Approval of Final Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas



- 9) Approval of Final Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the following items:

- 1) Approval to Contract Engineering Services for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement
- 2) Approval to Contract Mechanical, Electrical, and Plumbing (MEP) Engineering Services for the Regional Center for Public Safety Excellence Additional Chiller Installation
- 3) Approval of Proposed Change Order for the Pecan Campus Sand Volleyball Court Sand Replacement
- 4) Approval of Architectural Fee Adjustment for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project
- 5) Approval of Engineering Fee Adjustment for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive
- 6) Approval of Substantial Completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area
- 7) Approval of Final Completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation
- 8) Approval of Final Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas
- 9) Approval of Final Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees approves and authorizes the following items:

- 1) Approval to Contract Engineering Services for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement
- 2) Approval to Contract Mechanical, Electrical, and Plumbing (MEP) Engineering Services for the Regional Center for Public Safety Excellence Additional Chiller Installation
- 3) Approval of Proposed Change Order for the Pecan Campus Sand Volleyball Court Sand Replacement

- 4) Approval of Architectural Fee Adjustment for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project
- 5) Approval of Engineering Fee Adjustment for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive
- 6) Approval of Substantial Completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area
- 7) Approval of Final Completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation
- 8) Approval of Final Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas
- 9) Approval of Final Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

**Consent Agenda Item:**  
**Approval to Contract Engineering Services for the Nursing and Allied  
Health Campus NAH East Building A Exterior Stairs Repairs and  
Replacement**

Approval to contract engineering services for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project is requested.

**Purpose**

The procurement of an engineer will provide for design services necessary for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project.

**Justification**

The procurement of an engineer will allow for the engineer to work with staff to prepare all necessary design development drawings and specifications in preparation for the construction documents phase using college design standards and all applicable codes and ordinances. Construction documents will then be issued for solicitation of construction proposals. Once received, construction proposals will be evaluated and submitted to the Board of Trustees with a recommendation to award a construction contract.

**Scheduling Priority**

This project was initiated in 2020 to maintain the safety conditions and code compliance of emergency evacuation routes. It has been reviewed by the Facilities Planning & Construction and Facilities Operations & Maintenance departments. It is scheduled as a routine improvement to repair and replace exterior stairs that are in a deteriorated condition.

**Background**

The Board of Trustees approved solicitation for design services on October 27, 2020. The proposed Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project is part of the College's FY 2020-2021 Renewals and Replacements projects. The project consists of repairing and replacing the exterior stairs on the north side and west side of NAH East Building A. The existing stairs were constructed in 2000 and in need of repairs and/or replacement. The stairs function as part of the emergency exit routes out of the building, and their condition should be updated to ensure they continue to function properly in the case of an emergency.

The total project budget is \$169,000 and itemized in the table below:

<b>Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement Total Project Budget</b>	
<b>Budget Item</b>	<b>Budget Amount</b>
Construction	\$150,000
Design	15,000
Miscellaneous	4,000
<b>Total Project Budget</b>	<b>\$169,000</b>

Solicitation for engineering qualifications began on November 11, 2020 for the purpose of selecting an engineering firm to prepare the necessary plans and specifications for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project. A total of seven (7) firms received a copy of the RFQ and a total of three (3) firms submitted their responses on December 1, 2020.

<b>Timeline for Solicitation of Statements of Qualifications</b>	
November 11, 2020	Solicitation of statements of qualifications began.
December 1, 2020	Three (3) statements of qualifications were received.

### **Funding Source**

Funds for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement Project 2021-011R are budgeted in the Renewals & Replacements fund for available use in fiscal year 2020-2021.

### **Reviewers**

The Statements of Qualifications have been reviewed by staff from the Facilities Planning and Construction, Operations and Maintenance, and Purchasing departments.

### **Enclosed Documents**

A site plan and photos of the project is enclosed. The evaluation team members completed evaluations for the firms and prepared the enclosed scoring and ranking summary.

The Facilities Committee recommended Board approval of the contracting of engineering services with **Chanin Engineering, LLC.** for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project as presented.

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the contracting of engineering services with **Chanin Engineering, LLC.** for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes the contracting of engineering services with **Chanin Engineering, LLC.** for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement project as presented.

**Approval Recommended:**

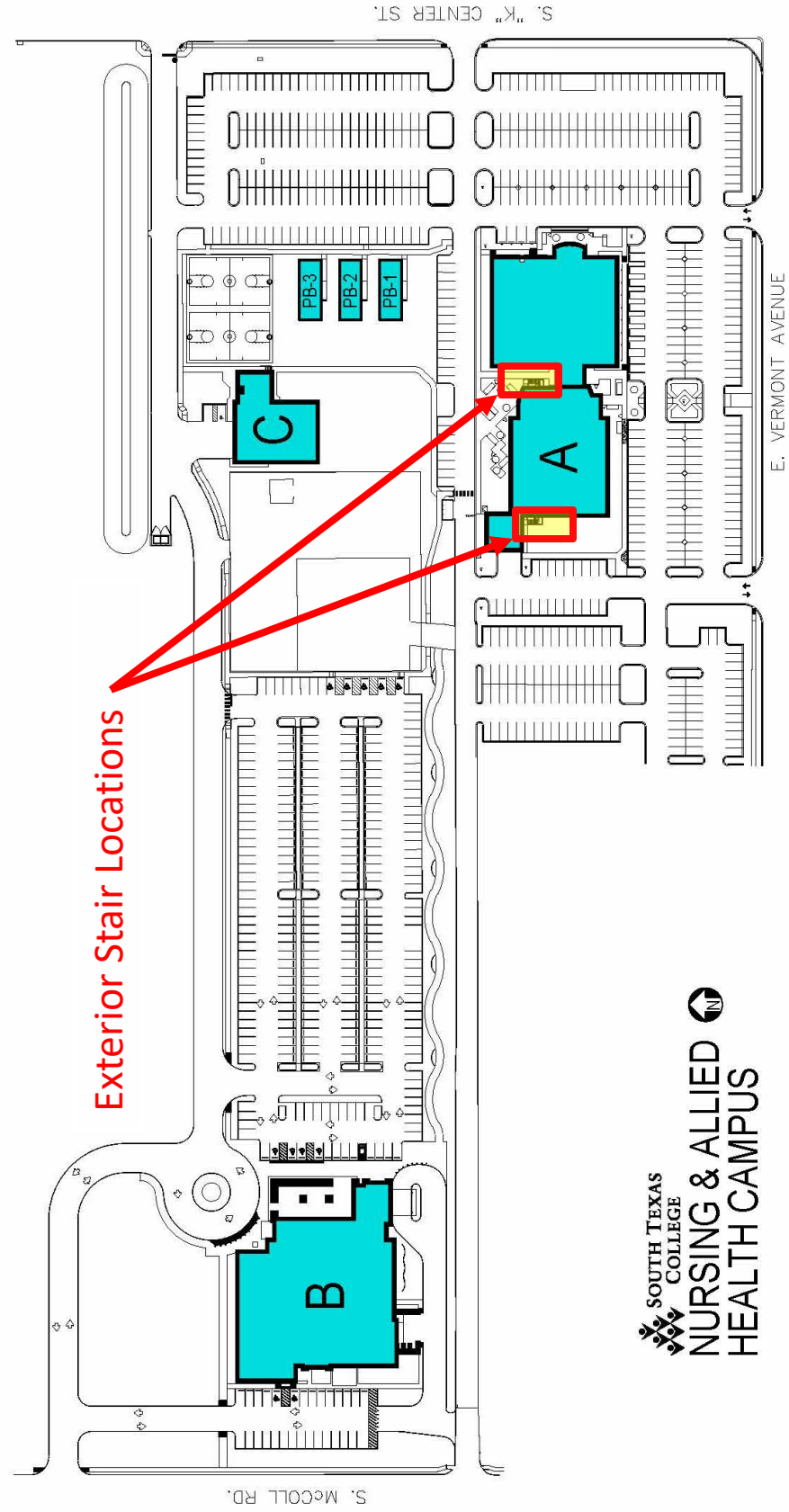
**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**



# **Dr. Ramiro R. Casso Nursing and Allied Health Campus**

**East Building A Exterior Stairs Repairs and  
Replacement**

# NAHC East Building A Exterior Stairs Repairs and Replacement





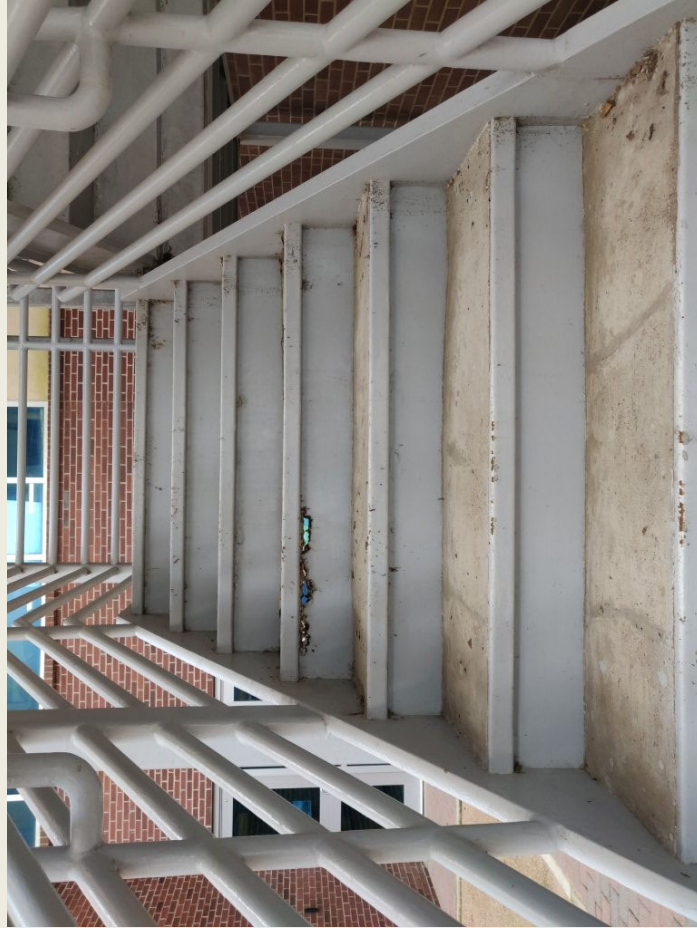
# NAHC East Building A Exterior Stairs Repairs and Replacement



Existing Photo  
North Stairs



# NAHC East Building A Exterior Stairs Repairs and Replacement



Existing Photos  
North Side

# NAHC East Building A Exterior Stairs Repairs and Replacement



Existing Photo  
North Side

# NAHC East Building A Exterior Stairs Repairs and Replacement



Existing Photos  
West Side

# NAHC East Building A Exterior Stairs Repairs and Replacement Proposed Scope & Budget



## Scope of work

Repair and replace existing exterior stairs of NAH East Building A.

## Estimated Total Project Budget

Construction	\$ 150,000
Design	15,000
Miscellaneous	<u>4,000</u>
Total Project Budget	\$ 169,000

Funds for the project are available in the FY 20-21 Renewals and Replacement budget. Estimated cost is \$169,000.



**SOUTH TEXAS COLLEGE  
ENGINEERING SERVICES - STRUCTURAL - NURSING AND ALLIED HEALTH CAMPUS EAST BUILDING A EXTERIOR  
STAIRS REPAIR AND REPLACEMENT  
PROJECT NO. 20-21-1020**

<b>VENDOR</b>	Amtech Solutions, Inc.	Chanin Engineering, LLC.	Green, Rubiano & Associates
<b>ADDRESS</b>	13601 Preston Rd Ste W1030	400 Nolana Ste H2	1220 W Harrison Ave
<b>CITY/STATE/ZIP</b>	Dallas, TX 75240	McAllen, TX 78504	Harlingen, TX 78550
<b>PHONE</b>	972-690-6044	956-687-9421	956-428-4461
<b>CONTACT</b>	Wahid Manawi	Miguel Chanin	Rolando Rubiano
<b>3.1 Statement of Interest</b>			
<b>3.1.1 Statement of Interest for Project</b>	Stated they are a full service architectural, engineering, and building envelope consulting firm with a long history of client satisfaction.	President stated direct involvement on every project, and indicated that is the backbone to their system of quality control, helps provide innovative and cost-effective designs.	Stated they have over thirty nine (39) years combined engineering experience in the Rio Grande Valley and throughout South Texas.
<b>3.1.2 History and Statistics of Firm</b>	<ul style="list-style-type: none"> <li>- Established in 1982 under the name Amtech Roofing Consultants, Inc.</li> <li>- In 2007 Amtech Roofing Consultants, Inc. became Amtech Building Sciences, Inc.</li> <li>- In 2016, Amtech Building Sciences partnered and became Amtech Solutions, Inc.</li> </ul>	<ul style="list-style-type: none"> <li>- Established in 2006</li> <li>- Located in McAllen, TX</li> <li>- Have seventeen (17) Employees, including four (4) Licenses Professionals and TDI Appointed Qualified Inspectors, three (3) EIT's and one (1) Graduate Engineer</li> </ul>	<ul style="list-style-type: none"> <li>- Established in 1980, as Green &amp; Associates</li> <li>- Renamed in 2000, as Green, Rubiano &amp; Associates</li> <li>- 13 Full time staff members</li> </ul>
<b>3.1.3 Narrative describing the design team's unique qualifications and specialized design experience as it relates to the project</b>	Stated their staff includes Registered and Licensed Architects and Engineers, Chartered Building Surveyors, Registered Roof and Wall Consultants and Observers, Project Management Professionals, Reserve Specialists and Professional Reserve Analysts and other license professionals including Certified Thermographers.	Indicated they have experience in providing structural engineering services for both New Construction and Renovation work for Educational Facilities.	Indicated that both engineers of the firm have managed numerous projects for building assessments and subsequent repair and renovation designs and construction.
<b>3.1.4 Statement of Availability and Commitment</b>	Did not specifically address this item of information.	Stated they have qualified staff available to assign to the project immediately.	Stated they are immediately available and committed to provide STC with comprehensive project assessment, design, and construction management services.

**SOUTH TEXAS COLLEGE**  
**ENGINEERING SERVICES - STRUCTURAL - NURSING AND ALLIED HEALTH CAMPUS EAST BUILDING A EXTERIOR**  
**STAIRS REPAIR AND REPLACEMENT**  
**PROJECT NO. 20-21-1020**

<b>VENDOR</b>	<b>Amtech Solutions, Inc.</b>	<b>Chanin Engineering, LLC.</b>	<b>Green, Rubiano &amp; Associates</b>
<b>3.2 Prime Firm</b>			
<b>3.2.1 Resumes of Principals and Key Members</b>	Included resumes for the following: - Ron Erdman - President - Steven Grant - Director of Operations - Sara A. Johnson- Project Manager - Angela Galloway - Project Engineer - Wahid Manawi - Senior Project and Dallas General Manager	Included resumes for the following: - Miguel Chanin - Principal-in-Charge - Hector Ramirez - Principal/Project Manager - Oscar Lopez - Principal/QCQA - Ethny Fantich - Client Executive	Included resumes for the following: - Rolando R. Rubiana - Principal - Heriberto Cavazos - Partner
<b>3.2.2 Project Assignments and Lines of Authority</b>	Lines of authority and assignments within firm are shown in an organization chart that includes five (5) staff members.	Duties and time assignments for each staff member were included.	Lines of authority within the firm are shown in an organization chart which includes estimated time committed for partners and four (4) staff members.
<b>3.2.3 Prime Firm proximity and meeting availability</b>	Did not specifically address this item of information.	Indicated that the firm is approximately sixteen (16) minutes from the McAllen project site.	Indicated they are located in Harlingen, TX and their team are regularly attending to projects in the upper Valley.
<b>3.2.4 Describe any litigation the prime firm is currently involved in which could affect the firm's ability to provide professional services to STC</b>	Did not specifically address this item of information.	Indicated that the firm is not involved in any litigation.	Indicated that the firm is not involved in any litigation.
<b>3.3 Project Team</b>			
<b>3.3.1 Organization chart with Role of Prime Firm and each consultants firm</b>	Included organization chart	Included organization chart showing prime firm and the following consultants: - EGV Architects, Inc.	Included organization chart that showed all firm staff and which included the following sub-consultants: - Sam Garcia Architect - Architecture - Ethos Engineering - MEP

**SOUTH TEXAS COLLEGE**  
**ENGINEERING SERVICES - STRUCTURAL - NURSING AND ALLIED HEALTH CAMPUS EAST BUILDING A EXTERIOR**  
**STAIRS REPAIR AND REPLACEMENT**  
**PROJECT NO. 20-21-1020**

VENDOR	Amtech Solutions, Inc.	Chanin Engineering, LLC.	Green, Rubiano & Associates
<b>3.4 Representative Projects</b>			
<b>3.4.1 Minimum of 5 projects firm has worked on</b>	<ul style="list-style-type: none"> <li>- Texas Baptist at University of Texas-Longhorn BSM (\$1,900,000)</li> <li>- Brownsville ISD - Rivera High School Phase B (\$1,678,000)</li> <li>- Tarleton State University Library - Fire Damage Repairs (\$60,000)</li> </ul>	<ul style="list-style-type: none"> <li>- Texas A&amp;M University - McAllen Higher Education Center (\$40 Million)</li> <li>- South Texas College - North Academic Building (\$14.8 Million)</li> <li>- South Texas College - Technology Campus Expansion (\$12 Million)</li> <li>- South Texas College - Pecan Campus Building "H" Renovation (\$500,000)</li> <li>- Texas A&amp;M University - Kingsville, Screen Structure Upgrade at Citrus Center (NA)</li> </ul>	<ul style="list-style-type: none"> <li>- Del Mar College - Engineering and Technology Building Expansion (\$8,850,000)</li> <li>- Texas State Technical College - New Central Chiller Plant (\$7,850,000)</li> <li>- Our Lady of the Lake University - Technology &amp; Success Center (\$13,000)</li> <li>- University of Texas Health Science Center at Houston - Human Services Continuum of Care Campus Peer Review (\$25,130.00)</li> <li>- San Jacinto Community College District - Classroom Building Photovoltaic Solar Array Structural Support Framing (\$38,000)</li> </ul>
<b>3.5 References</b>			
<b>3.5.1 References for five (5) projects</b>	<ul style="list-style-type: none"> <li>- Dallas ISD</li> <li>- Procedeo Group</li> <li>- Page Think</li> <li>- Huckabee, Inc.</li> </ul>	<ul style="list-style-type: none"> <li>- Texas A&amp;M University System</li> <li>- Texas Department of Transportation Officials</li> <li>- Edinburg Economic Development Corporation</li> <li>- McAllen ISD</li> <li>- Hidalgo County Precinct 1</li> </ul>	<ul style="list-style-type: none"> <li>- Texas State Technical College Chiller Plant</li> <li>- Our Lady of the Lake University</li> <li>- Cameron County</li> <li>- Idea Public Schools</li> <li>- City of South Padre Island</li> </ul>
<b>3.6 Project Execution</b>			
<b>3.6.1 Summary of approach to project that addresses interaction with STC staff, management of different phases of the project, how you maintain quality control, and final project close-out.</b>	Indicated their five (5) phases for the project: Initiating, Planning, Executing, Monitoring, and Controlling.	Included their general technical approach which includes the following: Condition Assessments/Evaluation Reports, Building/Bridge Structural Systems Design, Schematic, Design Development, Construction Document, Bidding and Construction Administration Phase.	Included that they have a Principal's hands on approach that will keep the project's progression on schedule and deliver the proper solutions to any issues that may arise. Approach to project: Assessment, Conceptual Design, Preliminary Design and Final Design Phases, Bid Preparation and Evaluation, Construction and Final Project Close-out, and Quality Control
<b>3.6.2 Willingness and ability to expedite services. Ability to supplement production.</b>	Stated they are willing and able to expedite design services and construction administration for the project. Indicated they will not need to supplement production capability in order to meet schedule demands.	Indicated that they will assure the highest quality services and make every effort to ensure the project proceeds on schedule and within budget.	Indicated they are willing and able to expedite design services and construction administration for the project.
<b>TOTAL EVALUATION POINTS</b>	549.8	565.00	561.80
<b>RANKING</b>	3	1	2

The Director of Purchasing has reviewed all the responses and evaluations completed.

**SOUTH TEXAS COLLEGE**  
**ENGINEERING SERVICES - STRUCTURAL - NURSING AND ALLIED HEALTH CAMPUS EAST**  
**BUILDING A EXTERIOR STAIRS REPAIR AND REPLACEMENT**  
**PROJECT NO. 20-21-1020**  
**EVALUATION SUMMARY**

VENDOR	Amtech Solutions, Inc.	Chanin Engineering, LLC.	Green, Rubiano & Associates			
ADDRESS	13601 Preston Rd Ste W1030	400 Nolana Ste H2	1220 W Harrison Ave			
CITY/STATE/ZIP	Dallas, TX 75240	McAllen, TX 78504	Harlingen, TX 78550			
PHONE	972-690-6044	956-687-9421	956-428-4461			
CONTACT	Wahid Manawi	Miguel Chanin	Rolando Rubiano			
3.1 Statement of Interest (up to 100 points)						
3.1.1 Statement of interest on projects including a narrative describing the prime firm's unique qualifications 3.1.2 Firm History including credentials 3.1.3 Narrative describing the design team's unique qualifications and specialized design experience as it relates to the project 3.1.4 Availability and commitment of firm and its principal(s) and key professionals	95	92.40	95	95.20	95	95.00
	85		95		95	
	94		94		94	
	93		95		94	
	95		97		97	
3.2 Prime Firm (up to 100 points)						
3.2.1 Resumes giving the experience and expertise principles and key members for the prime firm that will be involved in the project(s), including their experience with similar projects and the number of years with the prime firm 3.2.2 Proposed project assignments, lines of authority, and communication for principals and key professional members of the prime firm that will be involved in the project(s). Indicate the estimated percent of time these individuals will be involved in the project(s). 3.2.3 Prime Firm proximity and meeting availability 3.2.4 Describe any litigation the prime firm is currently involved in which could affect the firm's ability to provide professional services to STC	90	92.00	94	94.40	91	93.20
	89		92		90	
	93		94		95	
	93		95		94	
	95		97		96	
3.3 Project Team (up to 100 points)						
3.3.1 Organizational chart showing, the roles of the prime firm and each consultant firm or individual included. --Identify the consultant and provide a brief history about the consultant --Describe the consultant's proposed role in the project and its related project experience --List a project(s) that the prime firm and the consultant have worked together on during the last five years --Provide a statement of the consultant's availability for the projects(s) --Provide resumes giving the experience and expertise of principals and key professional members for the consultant who will be assigned to the projects(s)	91	91.00	94	94.40	91	93.00
	90		95		95	
	90		91		90	
	90		94		93	
	94		98		96	




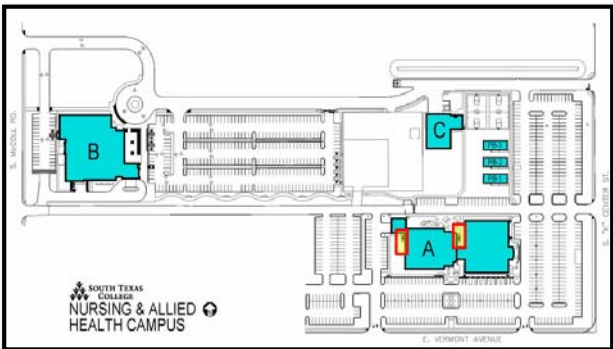
**SOUTH TEXAS COLLEGE**  
**ENGINEERING SERVICES - STRUCTURAL - NURSING AND ALLIED HEALTH CAMPUS EAST**  
**BUILDING A EXTERIOR STAIRS REPAIR AND REPLACEMENT**  
**PROJECT NO. 20-21-1020**  
**EVALUATION SUMMARY**

<b>VENDOR</b>	Amtech Solutions, Inc.	Chanin Engineering, LLC.	Green, Rubiano & Associates
<b>3.4 Representative Projects (up to 100 points)</b>			
3.4.1 Specific data on 5 projects the prime firm provided or is providing professional services in an educational setting --Project name and location; Project Owner and contact information; Project construction cost; Project size in gross square feet; Date project was started and completed; Professional services prime firm provided for the project; Project manager; Project architect; Project designer; Names of consultant firms and their expertise.	90	90	90
	91	95	94
	91	93	93
	91	94	94
	95	97	96
	91.60	93.80	93.40
<b>3.5 Five References (up to 100 points)</b>			
3.5.1 Provide references for 5 projects, other than STC, listed in response to Part four, The references shall include: --Owner's name, Owner's representative who served as the day-to-day liaison during planning, design, and construction of the project, and the Owner representative's telephone number and email address	92	92	92
	90	94	95
	89	92	92
	91	95	95
	92	97	95
	90.80	94.00	93.80
<b>3.6 Project Execution (up to 100 points)</b>			
3.6.1 Provide information as part of submission response to assure that Architectural firm is willing and able to expedite design services and construction administration for the project. Please provide insight if Architect is intending to supplement production capability in order to meet schedule demands. 3.6.2 Willingness and ability to expedite services. Ability to supplement production.	91	91	91
	85	91	91
	92	91	92
	94	95	95
	98	98	98
	92.00	93.20	93.40
<b>TOTAL EVALUATION POINTS</b>	549.80	565.00	561.80
<b>RANKING</b>	3	1	2

The Director of Purchasing has reviewed all the responses and evaluations completed.

# Project Fact Sheet

## 1/7/2021

<b>Project Name:</b> NAH - Building A Stair Repairs and Replacement		<b>Project No.</b> 2021-011R	
<b>Funding Source(s):</b> Renewal & Replacement Fund	<b>Estimated Budget</b>		<b>Actual Expenditures To Date</b>
			<b>Variance of Original Budget vs. Actual Expenditures To Date</b>
	Construction:	\$ 150,000	\$ - 150,000
	Design:	15,000	- 15,000
	Miscellaneous:	4,000	- 4,000
FFE:	-	-	-
Technology:	-	-	-
<b>Total:</b>	<b>\$ 169,000</b>	<b>\$ -</b>	<b>\$ 169,000</b>
<b>Architect/Engineer:</b> TBD	<b>Board Approval of Schematic Design</b> TBD		
<b>Contractor:</b> TBD			
<b>STC FPC Project Manager:</b> Robert Gomez	<b>Substantial Completion</b> TBD	<b>Board Acceptance</b> TBD	
	<b>Final Completion</b> TBD	<b>Acceptance</b> TBD	
<b>Project Description</b>		<b>Project Scope</b>	
Repair and/or replacement of the existing exterior stairs for Building A due to rust damage and deterioration.		Hire a structural engineer to evaluate the stairs and make a recommendation on how to proceed with repairing them, then proceed with repair work as approved.	
<b>Projected Timeline</b>			
Board Approval of Engineer	Board Approval of Recommendations	Board Approval of Contractor	Construction Start Date
1/26/2021	3/30/2021	6/22/2021	7/5/2021
		Substantial Completion Date	Final Completion Date
		9/7/2021	10/7/2021
<b>Project Calendar of Expenditures by Fiscal Year</b>			
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Misc.</b>
2020-21	\$ -	\$ -	\$ -
<b>Project Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Current Agenda Item</b>			
<b>01/12/21 Facilities Committee:</b> Review and Recommend Action on Contracting Engineering Services for the Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement			
			

**Consent Agenda Item:**  
**Approval to Contract Mechanical, Electrical, and Plumbing (MEP)**  
**Engineering Services for the Regional Center for Public Safety**  
**Excellence Additional Chiller Installation**

Approval to contract engineering services for the Regional Center for Public Safety Excellence Additional Chiller Installation project is requested.

**Purpose**

The procurement of an engineer will provide for design services necessary for the Regional Center for Public Safety Excellence Additional Chiller Installation project.

**Justification**

The procurement of an engineer will allow for the engineer to work with staff to prepare all necessary design development drawings and specifications in preparation for the construction documents phase using college design standards and all applicable codes and ordinances. Construction documents will then be issued for solicitation of construction proposals. Once received, construction proposals will be evaluated and submitted to the Board of Trustees with a recommendation to award a construction contract.

**Scheduling Priority**

This is a Capital Improvement Project requested by the Facilities Operations and Maintenance department to provide an additional chiller for redundancy of the air conditioning system at the RCPSE, and was reviewed by the Facilities Planning & Construction and Facilities Operations & Maintenance departments. It is scheduled as a non-educational space improvement to provide redundancy to maintain a properly operating air conditioning system in case of the existing chiller becoming inoperative.

**Background**

The Board of Trustees approved solicitation for design services on October 27, 2020. The proposed Regional Center for Public Safety Excellence Additional Chiller Installation project is part of the College's FY 2020-2021 Capital Improvement projects. The project consists of installing an additional air-cooled chiller at the RCPSE. The additional chiller has been relocated from the Starr County Campus. The project is pending the installation of electrical, communication, and chilled water piping to make it operational. There is currently only one chiller in operation at the RCPSE. In the case of an issue or outage, an additional chiller is necessary to continue chilled water flow to the air conditioning system.

The total project budget is \$170,000 and itemized in the table below:

<b>Regional Center for Public Safety Excellence Additional Chiller Installation Total Project Budget</b>	
<b>Budget Item</b>	<b>Budget Amount</b>
<b>Construction</b>	\$150,000
<b>Design</b>	15,000
<b>Miscellaneous</b>	5,000
<b>Total Project Budget</b>	<b>\$170,000</b>

Solicitation for engineering qualifications began on November 11, 2020 for the purpose of selecting an engineering firm to prepare the necessary plans and specifications for the Regional Center for Public Safety Excellence Additional Chiller Installation project. A total of nine (9) firms received a copy of the RFQ and a total of five (5) firms submitted their responses on December 1, 2020. One of the responses that was received did not meet the required specifications, and therefore was not evaluated.

<b>Timeline for Solicitation of Statements of Qualifications</b>	
November 11, 2020	Solicitation of statements of qualifications began.
December 1, 2020	Five (5) statements of qualifications were received.

### **Funding Source**

Funds for the Regional Center for Public Safety Excellence Additional Chiller Installation Project 2019-019C are budgeted in the Unexpended Construction Plant fund for available use in fiscal year 2020-2021.

### **Reviewers**

The Statements of Qualifications have been reviewed by staff from the Facilities Planning and Construction, Operations and Maintenance, and Purchasing departments.

### **Enclosed Documents**

A site plan of the project is enclosed. The evaluation team members completed evaluations for the firms and prepared the enclosed scoring and ranking summary.

The Facilities Committee recommended Board approval to contract MEP engineering services with **Halff Associates, Inc.** for the Regional Center for Public Safety Excellence Additional Chiller Installation project as presented.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize contracting MEP engineering services with **Halff Associates, Inc.** for the Regional Center for Public Safety Excellence Additional Chiller Installation project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes contracting MEP engineering services with **Halff Associates, Inc.** for the Regional Center for Public Safety Excellence Additional Chiller Installation project as presented.

**Approval Recommended:**

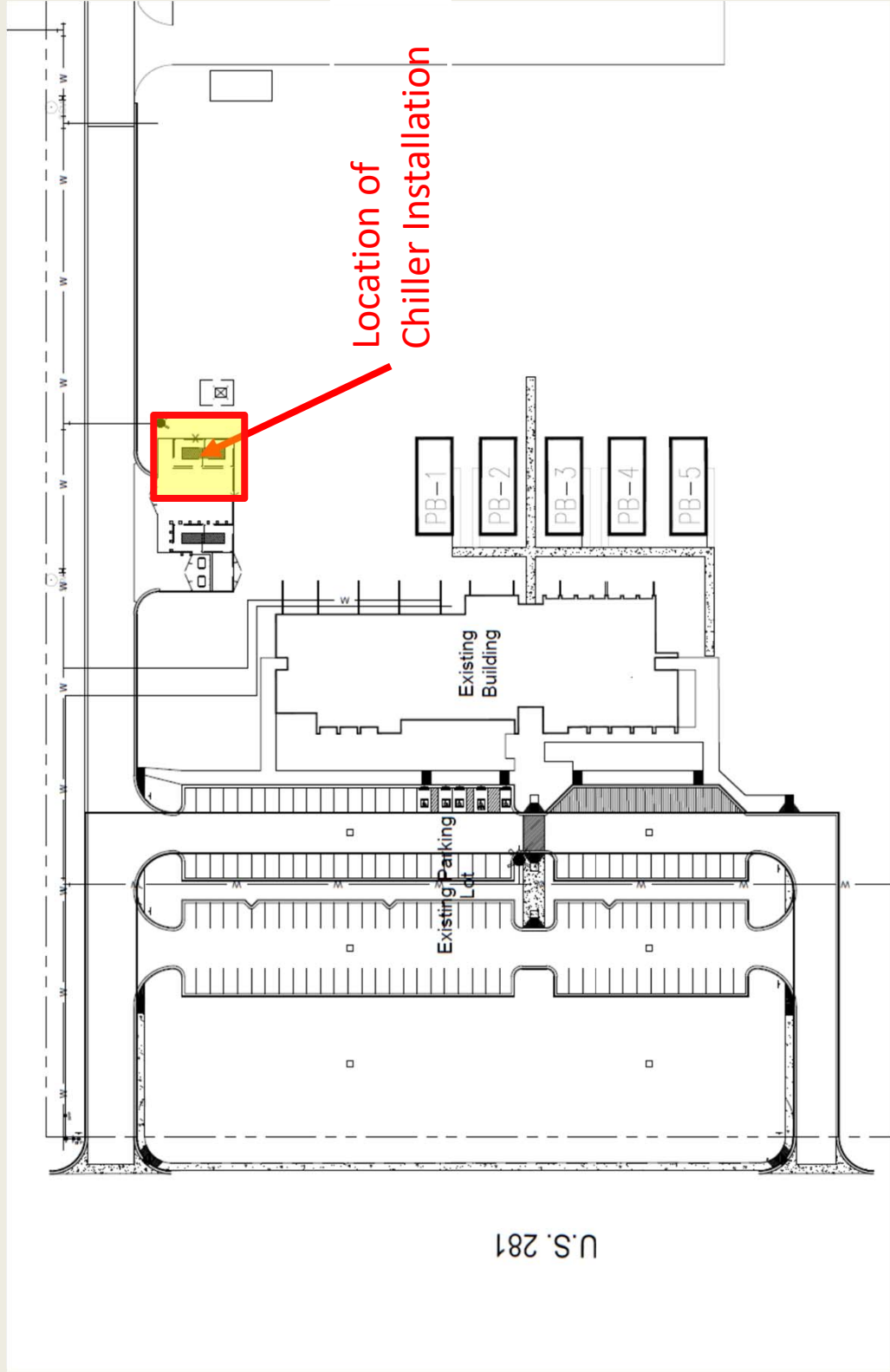
**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**



# Regional Center for Public Safety Excellence

## Chiller Installation

# RSPSE Chiller Installation



## RCPSE Chiller Installation

# Proposed Scope & Budget



### Scope of work

Installation of Chilled water lines and electrical service connection to existing chiller

### Estimated Total Project Budget

Construction	\$ 150,000
Design	15,000
Miscellaneous	<u>5,000</u>
Total Project Budget	\$ 170,000

Funds for the project are available in the FY 20-21 Un-expanded – Construction budget. Estimated cost is \$170,000.



**SOUTH TEXAS COLLEGE**  
**ENGINEERING SERVICES - MECHANICAL ELECTRICAL AND PLUMBING (MEP)**  
**REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE - ADDITIONAL CHILLER INSTALLATION**  
**PROJECT NO. 20-21-1021**

<b>VENDOR</b>	DBR Engineering Consultants, Inc.	Ethos Engineering	Half Associates, Inc.	Sigma HN Engineers, PLLC.	Trinity MEP Engineering
<b>ADDRESS</b>	200 S 10th St Ste 901	119 W Van Buren Ave Ste 101	5000 W Military Ste 100	701 S 15th St	3533 Moreland St Ste A
<b>CITY/STATE/ZIP</b>	McAllen, TX 78501	Harlingen, TX 78550	McAllen, TX 78503	McAllen, TX 78501	Weslaco, TX 78596
<b>PHONE</b>	956-683-1640	956-230-3435	956-664-0286	956-332-3206	956-973-0500
<b>FAX</b>	956-683-1903	956-720-0830	956-664-0282	956-687-5561	
<b>CONTACT</b>	Edward Puentes	Guillermo Quintanilla	Jose Delgado	Jesus G. Hinojosa	Elsa Mares
<b>3.1 Statement of Interest</b>					
<b>3.1.1 Statement of Interest for Project</b>	Pointed out the work the firm has provided for STC. Indicated that they can begin work on new projects immediately.	Indicated the firm's highly qualified team has been providing MEP engineering services to higher education for about 20 years. Emphasized their previous work for STC and therefore their familiarity with the campuses and staff.	Indicated that their previous experience with STC, they have demonstrated their commitment to the College and the quality of work.	The firm emphasized the experience of the two principals within the firm. They indicated that STC would be working directly with the two principals and pointed out that the firm's size would be better able to meet the needs in a cost-effective manner.	Indicated they are knowledgeable, experienced, and capable of providing STC with MEP Engineering Services. Stated they have provided MEP services to STC in the past.
<b>3.1.2 History and Statistics of Firm</b>	- Providing services since 1972 - 150+ staff member in six (6) offices in Texas - Offices in Houston, San Antonio, Austin, McAllen, Dallas, and El Paso	- Founded in 2014 - Headquarters located in Harlingen, TX - 17 Full Time Employees, four (4) Registered Engineers - Honored with Engineer of the Year and Consultant of the Year awards	- Founded in Dallas in 1950 - McAllen office since 1993 - About 1,000 total staff - Ranked No. E10 106 in Engineering News - E10 Record Magazine list of top 500 design firms in the United States	- Established in 2012 - Over 20 Years of combined experience - Completed over 300 projects, 57 of which were for higher education	- Firm was established in 2008 - Has sixteen (16) employees - Located in Weslaco, TX
<b>3.1.3 Narrative describing the design team's unique qualifications and specialized design experience as it relates to the project</b>	Stated that are uniquely qualified for this project because of the following: Intimate knowledge of existing systems, Understanding of Existing Challenges, and Experience with STC.	Stated that they have successfully executed over 250 projects, and are collaborating with several high profile A/E teams across the State. Indicated that energy efficiency and sustainable designs, as well as client satisfaction have always been our forte, and continue to be our prime focus.	Stated they are a full-service firm with a full range staff including engineers, landscape architects, planners, architects, environmental scientists, surveyors and more.	Stated they have gained familiarity with STC over the course of our careers. To date, they have been personally involved on over 40 projects with STC.	Stated that the company is composed of enthusiastic employees who love what they do, have access to the best technology and software and produce first-rate work for customers.
<b>3.1.4 Statement of Availability and Commitment</b>	Indicated that the firm's design team meets each week to discuss project schedules and allocate staff to meet needs to project.	Indicated that they are available as soon as they are awarded and will make the STC projects their top priority.	Indicated that they are available and committed to providing exceptional client service to STC.	Indicated that firm has the resources to perform work immediately for STC. Listed a staff of six, including the principals. Stated that they will ensure the necessary resources for the project.	Indicated they are composed of 14 valuable and eager employees. Stated they can work quickly and efficiently to have a fast turnaround when need be.

**SOUTH TEXAS COLLEGE  
ENGINEERING SERVICES - MECHANICAL ELECTRICAL AND PLUMBING (MEP)  
REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE - ADDITIONAL CHILLER INSTALLATION  
PROJECT NO. 20-21-1021**

<b>VENDOR</b>	DBR Engineering Consultants, Inc.	Ethos Engineering	Half Associates, Inc.	Sigma HN Engineers, PLLC.	Trinity MEP Engineering
<b>3.2 Prime Firm</b>					
<b>3.2.1 Resumes of Principals and Key Members</b>	Included resumes for the following staff: - Edward Puentes, PE, Partner in Charge - M. Antonio Leochico, Senior Plumbing Designer - T. Joey Beltz, Senior Electrical Designer - Maritza Garza, EIT, Senior Mechanical Designer - Juan de Dios Chavez, Senior Electrical Designer	Included resumes for the following staff: - Rajesh Kapileshwari, PE, LEED AP, Principal - Guillermo Quintanilla, Principal - Cesar Gonzalez, PE, Principal - Mark Power Warren, P.E.	Included resumes for the following staff: - Menton J. Murray III, PE, LEED AP, Principal In Charge - Jose Delgado, PE, RCDD, LEED AP, Project Manager - Robert Tijerina, PE, Mechanical Lead - Jose Gonzalez, PE, Electrical Lead - Jose Silva, Construction Administration - Gabriel Benavides Jr., PE, QA/QC Manger - Kyle Hunter, PE, LEED AP, Deputy Project Manger - Miguel Chanin, PE, Structural Lead	Provided resumes for the two principals: - Jesus Gabriel Hinojosa, PE, LEED AP, Principal - Jose Antonio Nicanor, PE, LEED AP, Principal	Provided resumes for the following staff: - Leonardo Muñoz, PE, RME, CEO/President - Fidencio Alvarado, Lead Project Manager/Senior Electrical Designer
<b>3.2.2 Project Assignments and Lines of Authority</b>	Listed the assignments for the above named staff and the time commitment each will devote to the project. The partner in charge will commit 40% of his time to project. The others are indicated at 50% time commitment.	Indicated that all four principals will be involved in project. Included an organization chart that shows lines of authority.	Showned percentage time assignments for eight named staff members who would be involved in the project.	Indicated a 100% time commitment from both principles for the project and provided the time commitments from the five staff.	Stated that are committed to provide 100% of our time and attention to this project in order to meet the scheduled milestones.
<b>3.2.3 Prime Firm's Proximity and ability to respond to unplanned meetings</b>	Stated they are about 6 miles away and approximately 15 minutes away from the project site.	Stated they are available to meet for face-to-face discussions within the hour. Since they have several projects in Hidalgo county, one of the principals or engineers is always in the area.	Indicated their office is located on Military Hwy near STC Technology Campus.	Stated they are located in downtown McAllen, and only 6 miles away from the Regional Center for Public Safety Excellence Campus.	Stated they are located in Weslaco, TX and are available to respond to planned and/or unexpected meetings.
<b>3.2.4 Litigation that could affect firm's ability provide services</b>	Firm states they are not involved in any litigation.	Indicated "Non Applicable" on response to this item.	Firm states they are not involved in any litigation.	Firm states they are not involved in any litigation.	Indicated "Non Applicable" on response to this item.
<b>3.3 Project Team</b>					
<b>3.3.1 Organization chart with Role of Prime Firm and basic Services consultants</b>	Included organization chart with the staff who will be assigned to project. Indicated that no sub-consultants will be used for project.	Included organization chart that showed all firm staff and which included the following sub consultants: - Boultinghouse Simpson Gates Architects - Architect - Green Rubiano & Associates - Structural Engineer - Perez Consulting Engineers - Civil Engineer	Included organization chart with the staff who will be assigned to the project and their roles.	Organization chart was included showing the primary roll of the two principals and the following sub consultants: - CLH Engineering	Included organization chart with the staff who will be assigned to the project and their roles.

**SOUTH TEXAS COLLEGE**  
**ENGINEERING SERVICES - MECHANICAL ELECTRICAL AND PLUMBING (MEP)**  
**REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE - ADDITIONAL CHILLER INSTALLATION**  
**PROJECT NO. 20-21-1021**

VENDOR	DBR Engineering Consultants, Inc.	Ethos Engineering	Halff Associates, Inc.	Sigma HN Engineers, PLLC.	Trinity MEP Engineering
<b>3.4 Representative Projects</b>					
<b>3.4.1 Minimum of 5 projects firm has worked on</b>	- South Texas College - Mid Valley Campus - Central Thermal Plant (\$4.4M) -South Texas College-Regional Center for Public Safety Excellence (\$4,499,426) - Texas A&M University - Kingsville - HEF Central Plant Chilled Water Pumps (\$254,272) - UTRGV - Hydronic Boiler Replacement at Multiple buildings (\$250,000) - Mission ISD - Chiller Replacements at Multiple Campuses (\$235,000)	- Sharyland ISD - North Junior High Chiller Replacement (\$350,000) - South Texas ISD - Med High HVAC Upgrades (\$987,000) - Cameron County Precincts - Levee Building Chiller and Elevator Upgrades (\$743,000) - HHSS HVAC Upgrades PH I &II (\$1,138,480) - UTRGV ITT and Visual Arts Chiller Replacement (\$250,000)	-Texas State Technical College-Central Chiller Plant Upgrade (\$100,000) - South Texas College - Pecan Campus Thermal Plant Expansion (\$4.25M) - South Texas College - Nursing and Allied Health Center New Thermal Plant (\$3.1M) - UTRGV - Backup Chiller and Emergency Generator (\$500,000) - City of Brownsville - Police Department Chiller Improvements (\$336,000)	- La Joya ISD - Jimmy Carter Early College High School Chiller Replacement (\$510,000) - Edinburg CISD - Information Technology Complex Network Operations Center Chiller Replacement (\$220,000) - Edinburg CISD - High School condenser Water Piping Retrofit (\$504,000) - Harlingen CISD - HVAC Improvements at Long and Wilson Elementary Schools (\$587,000) - Brownsville ISD - Chiller Replacement and HVAC Improvements at Keller, Ortiz, Stell, and Brite (\$1.2M) - Brownsville ISD - Pullam Elementary Chiller Replacement (\$90,000) - South Texas College - Starr County Campus Thermal Plant (\$5.3M)	- La Joya ISD - Rosendo Benavides Elementary School (\$1,223,000) - Laredo United ISD - Henry B. Zachry Elementary School (\$18,000,000) - Laredo United ISD - New Elementary No. 27 (\$14,200,000) - Mercedes ISD - Mercedes High School (N/A) - Mercedes ISD - Travis Elementary, Hinojosa Elementary, & JFK Elementary (N/A) - Mission CISD - Mission Early College High School (\$14,000,000)
<b>3.5 References</b>					
<b>3.5.1 References</b>	- Texas A&M University - McAllen - Texas A&M University - Kingsville - University of Texas Rio Grande Valley - University of Texas at Austin - Texas State Technical College	- Cameron County - University of Texas Rio Grande Valley - Sharyland ISD - Harlingen CISD - Los Fresnos CISD	- Texas State Technical College - McAllen ISD -University of Texas Rio Grande Valley - Texas A&M University -Kingsville - Hidalgo County	- La Joya ISD - IDEA Public Schools -Edinburg CISD -Brownsville ISD -Harlingen CISD	- Weslaco ISD - PSJA ISD - Carrizo Springs ISD - ROFA Architects - NK Architects - EGV Architects - Jim Hogg County ISD
<b>3.6 Project Execution</b>					
<b>3.6.1 Summary of approach to project that addresses interaction with STC staff, management of different phases of the project, how you maintain quality control, and final project close-out.</b>	Stated that all successful projects begin with an effective project-management approach. They have developed a set of project management tools that would be utilized on proposed projects for STC. Included some examples of how they manage information in order to deliver successful projects with ease.	Included a brief description of their work process and phase scheduling. Stated that the three functions (quality, time, and cost) dictate our work process and project implementation.	Stated that careful planning fosters great project performance which includes identifying tasks, developing time frames, implementing strategies, developing project phases, and providing quality assurance.	Stated that to complete projects within budget we communicate with our clients and visit the job site to clearly define a scope of work. They prepare an engineering cost estimate and establish a budget. The basic elements of effective budget control allow us to provide quality designs, which minimize unanticipated cost in the construction phase such as change orders.	Stated that their objective is to understand the vision of the architect or owner and to then design their MEP systems to operate efficiently and effectively with the building. Also, included the company services phases.
<b>3.6.2 Willingness and ability to expedite services. Ability to supplement production.</b>	Indicated their willing and able to expedite design services. Stated that they do not foresee any need to supplement production capability, but can do so by utilizing staff from other offices.	Reiterated their commitment to the project, including commitment by their sub consultants.	Stated that the McAllen office has the advantage of being able to reach out for assistance from any of their offices, should they need to.	Stated that they are willing and able to expedite services. Pointed to a proven track record for the two principals.	Indicated their willingness and ability to expedite design services.
<b>TOTAL EVALUATION POINTS</b>	560.00	557.40	568.60	558.00	****
<b>RANKING</b>	2	4	1	3	****

\*\*\*\* The vendor did not submit all the required forms; therefore not evaluated  
The Director of Purchasing has reviewed all the responses and evaluations completed.

**SOUTH TEXAS COLLEGE  
ENGINEERING SERVICES - MECHANICAL, ELECTRICAL, AND PLUMBING (MEP)  
REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE - ADDITIONAL CHILLER INSTALLATION  
PROJECT NO. 20-21-1021  
EVALUATION SUMMARY**

<b>VENDOR</b>	DBR Engineering Consultants, Inc.	Ethos Engineering	Half Associates, Inc.	Sigma HN Engineers, PLLC.
<b>ADDRESS</b>	200 S 10th St Ste 901	119 W Van Buren Ave Ste 101	5000 W Military Ste 100	701 S 15th St
<b>CITY/STATE/ZIP</b>	McAllen, TX 78501	Harlingen, TX 78550	McAllen, TX 78503	McAllen, TX 78501
<b>PHONE</b>	956-683-1640	956-230-3435	956-664-0286	956-332-3206
<b>FAX</b>	956-683-1903	956-720-0830	956-664-0282	956-687-5561
<b>CONTACT</b>	Edward Puentes	Guillermo Quintanilla	Jose Delgado	Jesus G. Hinojosa
<b>3.1 Statement of Interest (up to 100 points)</b>				
3.1.1 Statement of interest on projects	95	92	95	93
3.1.2 Firm History including credentials	93	90	95	90
3.1.3 Narrative describing the design team's unique qualifications and specialized design experience as it relates to the project	95	96	95	90
3.1.4 Availability and commitment of firm and its principal(s), its consultants and key professionals	92	95	96	95
	92	92	94	93
	93.40	93.00	95.00	92.20
<b>3.2 Prime Firm (up to 100 points)</b>				
3.2.1 Resumes giving the experience and expertise principles and key members for the prime firm that will be involved in the project(s), including their experience with similar projects and the number of years with the prime firm	95	93	95	95
	95	95	96	95
3.2.2 Proposed project assignments, lines of authority, and communication for principals and key professional members of the prime firm that will be involved in the project(s). Indicate the estimated percent of time these individuals will be involved in the project(s).	93	94	94	93
3.2.3 Prime Firm proximity and meeting availability	93	96	95	94
3.2.4 Describe any litigation the prime firm is currently involved in which could affect the firm's ability to provide professional services to STC.	92	92	94	92
	93.60	94.00	94.80	93.80
<b>3.3 Project Team (up to 100 points)</b>				
3.3.1 Organizational chart showing, the roles of the prime firm and each consultant firm or individual included.	95	94	95	90
--Identify the consultant and provide a brief history about the consultant				
--Describe the consultant's proposed role in the project and its related project experience				
--List a project(s) that the prime firm and the consultant have worked together on during the last five years	96	95	96	95
--Provide a statement of the consultant's availability for the project(s)				
--Provide resumes giving the experience and expertise of principals and key professional members for the consultant who will be assigned to the project(s)				
3.3.2 provide an organizational chart showing the roles of the prime firm and each specialized consultant firm(s) or individual(s) to be included if any.	91	90	91	90
--Identify the consultant and provide a brief history about the consultant and their area of design expertise				
--Describe the consultant's proposed role in the project				
--List (3) projects the consultant has worked on during the last 5 years which best describe the firm's design expertise	93	95	95	94
--List a project(s) that the prime firm and the specialized consultant have worked together on during the last 5 years				
--Provide a statement of the consultant's availability for the project				
--Provide resumes giving the experience and expertise of principals and key professionals members for the consultant who will be assigned to the project	92	91	95	91
	93.40	93.00	94.40	92.00
<b>3.4 Representative Projects (up to 100 points)</b>				
3.4.1 Specific data on 5 projects the prime firm provided or is providing professional services in an educational setting	94	94	95	93
--Project name and location; Project Owner and contact information; Project construction cost; Project size in gross square feet; Date project was started and completed; Professional services prime firm provided for the project; Project manager; Project architect; Project designer; Names of consultant firms and their expertise.	96	95	96	95
	94	95	95	94
	95	95	96	94
	93	92	94	90
	94.40	94.20	95.20	93.20

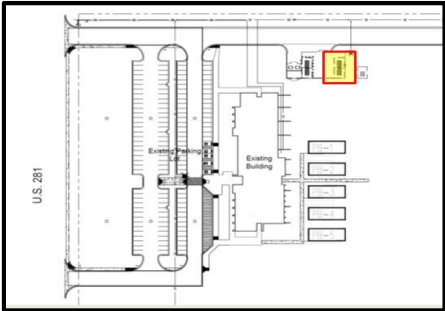

SOUTH TEXAS COLLEGE  
ENGINEERING SERVICES - MECHANICAL, ELECTRICAL, AND PLUMBING (MEP)  
REGIONAL CENTER FOR PUBLIC SAFETY EXCELLENCE - ADDITIONAL CHILLER INSTALLATION  
PROJECT NO. 20-21-1021  
EVALUATION SUMMARY

VENDOR	DBR Engineering Consultants, Inc.		Ethos Engineering		Halff Associates, Inc.		Sigma HN Engineers, PLLC.	
3.5 Five References (up to 100 points)								
3.5.1 Provide references for 5 projects, other than STC, listed in response to Part four, 3.4.1. The references shall include: --Owner's name, Owner's representative who served as the day-to-day liaison during planning, design, and construction of the project, and the Owner representative's telephone number and email address	91	91.00	90	88.20	95	94.20	95	93.20
	89		80		96		96	
	90		88		91		92	
	94		92		95		93	
	91		91		94		90	
3.6 Project Execution (up to 100 points)								
3.6.1 Provide a summary of your approach to the project that addresses key elements such as your interaction with STC staff, management of the different phases of the project, how you maintain quality control, and final project close-out. 3.6.2 Provide information as part of submission response to assure that Architectural firm is willing and able to expedite design services and construction administration for the project. Please provide insight if Architect is intending to supplement production capability in order to meet schedule demands.	95	94.20	95	95.00	95	95.00	95	93.60
	94		96		95		93	
	94		94		95		93	
	96		98		98		95	
	92		92		92		92	
TOTAL EVALUATION POINTS	560.00		557.40		568.60		558.00	
RANKING	2		4		1		3	

The Director of Purchasing has reviewed all the responses and evaluations completed.

# Project Fact Sheet

1/6/2021

<b>Project Name:</b> RCPSE - Chiller Installation		<b>Project No.</b> 2019-019C	
<b>Funding Source(s):</b> Unexpended Plant Fund	<b>Budget</b>		<b>Actual Expenditures To Date</b> <b>Variance of Original Budget vs. Actual Expenditures To Date</b>
	Construction:	\$ 150,000	\$ - \$ 150,000
	Design:	15,000	- 15,000
	Miscellaneous:	5,000	- 5,000
	FFE:	-	- -
Technology:		-	- -
<b>Total:</b>		<b>\$ 170,000</b>	<b>\$ - \$ 170,000</b>
<b>Architect/Engineer:</b> TBD <b>Contractor:</b> TBD		<b>Board Approval of Schematic Design</b> TBD	
<b>STC FPC Project Manager:</b> Martin Villarreal		<b>Substantial Completion</b> TBD <b>Board Acceptance</b> TBD <b>Final Completion</b> TBD <b>Board Acceptance</b> TBD	
<b>Project Description</b>		<b>Project Scope</b>	
Design and installation of chilled water lines to the existing chiller		Includes the planning phase for the design of the chilled water installation and electrical service to an existing chiller.	
<b>Projected Timeline</b>			
Board Approval of Engineer	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date
1/26/2021	N/A	7/27/2021	9/15/2021
		Substantial Completion Date	Final Completion Date
		11/18/2021	12/18/2021
<b>FFE Completion of Move In</b>			
N/A			
<b>Project Calendar of Expenditures by Fiscal Year</b>			
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Misc.</b>
2020-21	\$ -	\$ -	\$ -
<b>Project Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Current Agenda Item</b>			
<b>01/12/21 Facilities Committee:</b> Review and Recommend Action on Contracting Mechanical, Electrical, and Plumbing (MEP) Engineering Services for the Regional Center for Public Safety Excellence Additional Chiller Installation			
			

**Consent Agenda Item:**  
**Approval of Proposed Change Order for the Pecan Campus Sand Volleyball Court Sand Replacement**

Approval of a proposed change order with Limon Masonry for the Pecan Campus Sand Volleyball Court Sand Replacement project is requested.

**Purpose**

The purpose of this change order is to request authorization to begin work on the proposed modifications to the construction scope.

**Scheduling Priority**

This project was initiated in 2020 to remediate an existing project that has been reviewed by the FPC department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project is scheduled as an educational space improvement to remove and replace the existing sand material at the sand volleyball courts.

**Justification**

Modifications to the scope are required to ensure the prevention of damage to the rubberized safety surface around the perimeter of the volleyball courts.

**Background**

The construction drawings for this project called for an exposed concrete curb to be installed around the perimeter to prevent damage to the rubberized safety surface. The original contractor did not adhere to the original architectural specifications by extending the rubberized surface over the concrete curb and as a result, damage can be caused to the rubberized material from lawn maintenance equipment. The architect recommends lowering the existing grade around the perimeter of the court by six (6) inches which would allow for proper maintenance of the grass surrounding the volleyball court's rubberized material perimeter surface.

The balance of funds from the original FY 19-20 budget was \$15,282, and the additional FY 20-21 budget is \$43,000, which totals to a combined budget of \$58,282. The current contractor's contract approved by the Board is \$48,200.

Below is a summary of the project construction budget.

<b>Pecan Campus Sand Volleyball Court Sand Replacement Construction Budget</b>	
FY 19-20 Budget Balance	\$15,282
FY 20-21 Construction Budget	43,000
Total Construction Budget Amount	<b>\$58,282</b>



Below is a description of the proposed change order item.

<b>Pecan Campus Sand Volleyball Courts Sand Replacement</b>			
<b>Proposed Change Order No.</b>	<b>Item Description and Justification</b>	<b>Cost/ Days</b>	<b>Funding Source</b>
2	<ul style="list-style-type: none"> <li><b>Description:</b> Lowering existing grade around the perimeter by six inches.</li> </ul>	\$9,975 21 days*	Unexpended Plant Fund
<b>Total Proposed Change Order No. 2</b>		\$9,975 21 days*	Unexpended Plant Fund

**\*Additional days will start after approval of change order**

Below is a table summarizing the construction budget and the change order proposal.

<b>Pecan Campus Sand Volleyball Court Sand Replacement Construction Budget with Change Order Proposal</b>	
Construction Contract Amount	\$48,200
Change Order No. 2 Proposal: Lowering of existing grade	9,975
Revised Construction Contract Amount	<b>\$58,175</b>

<b>Project Completion Timeline</b>	
Substantial Completion Date:	10/6/2020
Additional time for this work will be increased by:	21 days
Final Completion Date:	02/17/2021*

**\*Additional days will start after approval of change order**

### **Funding Source**

Funds for Pecan Campus Sand Volleyball Court Sand Replacement Project 2016-014C1 are budgeted in the Unexpended Construction Plant Fund for available use in fiscal year 2020-2021.

### **Enclosed Documents**

The proposed change order #2 is enclosed.

The Facilities Committee recommended Board approval of the proposed change order with Limon Masonry in the amount of \$9,975 and twenty-one (21) additional days for the Pecan Campus Sand Volleyball Court Sand Replacement project as presented.



**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the proposed change order with Limon Masonry in the amount of \$9,975 and twenty-one (21) additional days for the Pecan Campus Sand Volleyball Court Sand Replacement project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes the proposed change order with Limon Masonry in the amount of \$9,975 and twenty-one (21) additional days for the Pecan Campus Sand Volleyball Court Sand Replacement project as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

## SECOND CONSTRUCTION CHANGE ORDER

Contractor: Limon Masonry, LLC

Owner: South Texas College

Contract Date: June 29, 2020

Location of Project: Pecan Campus Sand Volleyball Courts – Sand Replacement (RFP 19-20-1046)

### **Scope of Work Change**

Original Scope of Work: Perform all of the work as shown on the drawings and as described in the specifications entitled “Pecan Campus Sand Volleyball Courts – Sand Replacement RFP 19-20-1046.”

Addition to Original Scope of Work: As described in Proposal Request 002, dated October 22, 2020, which is attached hereto as Exhibit A.

### **Contract Time Change**

Date of Completion as Modified by the Construction Change Order: October 16, 2020.

Second Modification of Date of Completion: Within twenty-one (21) days following the issuance of this Second Construction Change Order.

### **Contract Sum Change**

Original Contract Sum: \$48,200.00

Additional Amount Payable: \$9,975.00

New Contract Sum: \$58,175.00

We hereby agree to fulfill the changes set forth above.

Contractor: Limon Masonry, LLC

Owner: South Texas College

\_\_\_\_\_  
Rolando Leal, Director of Operations  
Date: \_\_\_\_\_

\_\_\_\_\_  
South Texas College President  
Date: \_\_\_\_\_



# Pecan Campus Sand Volleyball Sand Replacement



Southeast View

# Project Fact Sheet

## 1/7/2021

<b>Project Name:</b> Pecan Campus - Sand Volleyball Courts Sand Replacement		<b>Project No.</b> 2019-004C1						
<b>Funding Source(s):</b> Unexpended Plant Fund		<b>Original Budget</b> <b>FY 19-20</b> Construction: \$ 15,282.00 Design: \$ 1,200.00 Miscellaneous: \$ 3,800.00 FFE: \$ - Technology: \$ - <b>Total:</b> \$ 20,282.00	<b>Original Budget</b> <b>FY 20-21</b> Construction: \$ 43,000.00 Design: \$ 1,000.00 Miscellaneous: \$ 450.00 FFE: \$ - Technology: \$ - <b>Total:</b> \$ 44,450.00	<b>Revised Combined Budget</b> \$ 58,282.00 \$ 2,200.00 \$ 4,250.00 \$ - \$ - <b>Total:</b> \$ 64,732.00	<b>Actual Expenditures To Date</b> \$ 43,380.00 \$ 6,800.00 \$ 1,299.17 \$ - \$ - <b>Total:</b> \$ 51,479.17	<b>Variance of Revised Budget vs. Actual Expenditures To Date</b> \$ 14,902.00 \$ (4,600.00) \$ 2,950.83 \$ - \$ - <b>Total:</b> \$ 13,252.83	<b>Variance of Original Budget vs. Actual Expenditures To Date</b> \$ 14,902.00 \$ (4,600.00) \$ 2,950.83 \$ - \$ - <b>Total:</b> \$ 13,252.83	
	<b>Architect:</b> Alvarado Architects & Associates, Inc.	N/A						
	<b>Contractor:</b> Limon Masonry, LLC							
	<b>STC FPC Project Manager:</b> David Valdez	<b>Board Approval of Schematic Design</b> 10/6/2020  <b>Substantial Completion</b> 10/6/2020  <b>Final Completion</b> TBD	<b>Board Acceptance</b> 10/20/2020  <b>Board Acceptance</b> TBD					
	<b>Project Description</b>		<b>Project Scope</b>					
	Removal and Replacement of sand material.		Project includes the removal and replacement of the sand material within the existing sand volleyball courts.					
	<b>Projected Timeline</b>							
Board Approval of Architect	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date		Substantial Completion Date	Final Completion Date	FFE Completion of Move In	
N/A	N/A	6/23/2020	7/15/2020		10/6/2020	TBD	N/A	
<b>Project Calendar of Expenditures by Fiscal Year</b>								
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Misc.</b>	<b>FFE</b>	<b>Tech</b>	<b>Project Total</b>		
2018-19	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2019-20	\$ 15,282.00	\$ 6,800.00	\$ 1,299.17	\$ -	\$ -	\$ 23,381.17		
2020-21	\$ 28,098.00	\$ -	\$ -	\$ -	\$ -	\$ 28,098.00		
<b>Project Total</b>	<b>\$ 43,380.00</b>	<b>\$ 6,800.00</b>	<b>\$ 1,299.17</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 51,479.17</b>		
<b>Current Agenda Item</b>								
01/12/21 Facilities Committee: Review and Recommend Action on Proposed Change Order for the Pecan Campus Sand Volleyball Court Sand Replacement								
								

**Consent Agenda Item:**  
**Approval of Architectural Fee Adjustment for the Mid Valley Campus  
Student Union Building F Renovation of Cashiers and Career &  
Employer Services Areas Project**

Approval to amend the current architectural agreement with Rike Ogden Figueroa Allex Architects (ROFA) to adjust the architectural fee based on the final construction cost for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas project is requested.

**Purpose**

Authorization is requested to amend the current architectural agreement with ROFA to adjust their architectural fee based on the final construction cost for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas.

**Scheduling Priority**

This project was planned as re-purpose project due to the Admissions & Records staff moving to the new Student Enrollment Center as part of the 2013 Bond Construction Program and has been reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project is scheduled as a noneducational space improvement to relocate Student Services department staff and Cashiers department staff.

**Justification**

The Architect is compensated based on a percentage of the Construction Budget, and compensation adjustments may be necessary once the construction costs are finalized.

**Background**

The current architectural agreement with ROFA for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas states an additional fee is required if the final construction cost exceeds the Owner's original budget for the Cost of Work.

The original construction budget in FY 18-19 for the project was \$200,000, and the fee was negotiated at 9.25%, for a total of \$18,500. The architect provided an updated construction cost estimate of \$210,840 during the schematic design phase. On April 28, 2020, the Board of Trustees approved contracting construction services with Noble Texas Builders, LLC in the amount of \$246,745 after additional negotiations. The total project cost is \$250,134 which includes all added change orders of \$3,389. The College updated the construction budget to \$256,845 which was included as part of the FY20-21 Unexpended Construction Plant Fund budget.

ROFA is requesting an additional fee of \$4,637.40, which would result in an adjusted fee of \$23,137.40. The total revised fee, including the reimbursable expenses of \$940.00, is \$24,077.40, including additional services.

The fee information is summarized below:

Original Fee:	\$18,500
Additional Fee:	\$4,637.40
Subtotal:	\$23,137.40
Reimbursable Expenses:	\$940.00
<b>Total Revised Fee</b>	<b>\$24,077.40</b>

Board approval is necessary to amend the current architectural agreement with ROFA to a revised fixed fee of \$24,077.40. No additional costs are anticipated for this project.

### **Funding Source**

Funds for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project 2019-009C are budgeted in the FY 2020-2021 Unexpended Construction Plant Fund.

The design budget for this project is \$24,275. The total revised fee is within the budgeted amount.

<b>Mid Valley Campus Student Union Building F Renovation of Cashiers and Career &amp; Employer Services Areas Design Budget</b>	
<b>Budget Item</b>	<b>Budget Amount</b>
Design Budget	\$24,275.00
Total Revised Fee	24,077.40
<b>Design Budget Variance</b>	<b>\$197.60</b>

### **Enclosed Documents**

A detailed breakdown of the fee adjustment is enclosed.

The Facilities Committee recommended Board approval to amend the current architectural agreement with ROFA for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas project to a revised fixed fee of \$24,077.40

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize amendment of the current architectural agreement with ROFA for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas project to a revised fixed fee of \$24,077.40

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes amendment of the current architectural agreement with ROFA for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas project to a revised fixed fee of \$24,077.40

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

Rike Ogden Figueroa Alex Architects, Inc. - Fee Adjustment Summary

Mid Valley Campus Building F Student Services Renovation

Company Name:	Rike Ogden Figueroa		
Campus:	Alex Architects, Inc.		
	Mid Valley Campus		
Project Name:	Building F Student Services Renovation		
Original Construction Budget:	\$200,000.00	Approved Construction Cost:	\$246,745.00
		Add Change Orders	3,389.00
Original Fee Percent:	9.25%	Total Adjusted Cost of Work:	\$250,134.00
Calculated Fee:	\$18,500.00	Fee Percent:	9.25%
		Adjusted Contract Fee:	\$23,137.40
*Total Original Fee:	\$18,500.00	Original Contract Fee:	\$18,500.00
*Without reimbursable expenses		Additional Fee Requested	4,637.40
		Adjusted Contract Fee:	\$23,137.40
		Reimbursable Expenses	940.00
		Total Adjusted Fee:	\$24,077.40
Total Original Fee:		\$18,500.00	
Additional Fee Requested		4,637.40	
Reimbursable Expenses		940.00	
Net Fee Adjustment:		5,577.40	
Total Adjusted Fee:		\$24,077.40	



**Consent Agenda Item:**  
**Approval of Engineering Fee Adjustment for the Mid Valley  
Campus Drainage Improvements Phase I and Asphalt Resurfacing of  
the Northwest Drive**

Approval to amend the current engineering agreement with Perez Consulting Engineers (PCE) to adjust the engineering fee based on the final construction cost for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive projects is requested.

**Purpose**

Authorization is requested to amend the current engineering agreement with PCE to adjust their engineering fee based on the final construction cost for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive.

**Scheduling Priority**

This project was submitted as part of the College's Deferred Maintenance Plan. The project has been reviewed by the Facilities Planning & Construction and Facilities Operations & Maintenance departments, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project is scheduled as an exterior Renewal & Replacement project to address drainage concerns and maintain a parking lot and drive on campus. The proposed drainage improvements would be critical to avoid potential flooding on campus in preparation for future hurricane or rain events.

**Justification**

The Engineer is compensated based on a percentage of the Construction Budget, and compensation adjustments may be necessary once the construction costs are finalized.

**Background**

The current engineering agreement with PCE for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing of the Northwest Drive states an additional fee is required if the final construction cost exceeds the Owner's original budget for the Cost of Work.

***Mid Valley Campus Drainage Improvements Phase I***

The original construction budget in FY 19-20 for the project was \$290,000.00, and the fee was negotiated as the greater of \$23,370.00 or 8% of final construction costs. On April 28, 2020, the Board of Trustees approved contracting construction services with McAllen Multi-Service in the amount of \$371,375.00 after additional negotiations. The total project cost is \$378,244.43 which includes increases from change orders in the amount of \$6,869.43. The College updated the construction budget to \$371,375.00 which was included as part of the FY20-21 Renewals & Replacements Fund budget.

PCE is requesting an additional fee of \$6,879.55, which would result in an adjusted fee of \$30,259.55. The total revised fee, including the reimbursable expenses of \$2,000.00, is \$32,259.55, including additional services.

The fee information for the Drainage Improvements Phase I is summarized below:

Original Fee:	\$23,380.00
Additional Fee:	<u>6,879.55</u>
Subtotal:	\$30,259.55
Reimbursable Expenses:	<u>2,000.00</u>
<b>Total Revised Fee</b>	<b>\$32,259.55</b>

Board approval is necessary to amend the current engineering agreement with PCE to a revised fixed fee of \$32,259.55. No additional costs are anticipated for this project.

***Mid Valley Campus Asphalt Resurfacing of the Northwest Drive***

The original construction budget in FY 19-20 for the project was \$180,000.00, and the fee was negotiated as the greater of \$8,500.00 or 8% of final construction costs. On April 28, 2020, the Board of Trustees approved contracting construction services with McAllen Multi-Service in the amount of \$108,853.00 after additional negotiations. The total project cost is \$121,135.00, which includes increases from change orders in the amount of \$12,282.00. The College updated the construction budget to \$110,000.00 which was included as part of the FY20-21 Renewals & Replacements Fund budget.

PCE is requesting an additional fee of \$1,190.80, which would result in an adjusted fee of \$9,690.80. The total revised fee, including the reimbursable expenses of \$2,475.00, is \$12,165.80, including additional services.

The fee information for the Asphalt Resurfacing of the Northwest Drive is summarized below:

Original Fee:	\$8,500.00
Additional Fee:	<u>1,190.80</u>
Subtotal:	\$9,690.80
Reimbursable Expenses:	<u>2,475.00</u>
<b>Total Revised Fee</b>	<b>\$12,165.80</b>

Board approval is necessary to amend the current engineering agreement with PCE to a revised fixed fee of \$12,165.80. No additional costs are anticipated for this project.

**Funding Source**

Funds for the Mid Valley Campus Drainage Improvements Phase I Project 2019-047R and the Asphalt Resurfacing of the Northwest Drive Project 2018-019R are budgeted in the FY 2020-2021 Renewals & Replacements Fund.

The design budget for the Mid Valley Campus Drainage Improvements Phase I project is \$27,500.00. Additional funds are available in the FY 2020-2021 project budget to cover the shortfall.

<b>Mid Valley Campus Drainage Improvements Phase I Design Budget</b>	
<b>Budget Item</b>	<b>Budget Amount</b>
Design Budget	\$27,500.00
Total Revised Fee	32,259.55
<b>Design Budget Variance</b>	<b>(\$4,759.55)</b>

The design budget for the Asphalt Resurfacing of the Northwest Drive project is \$10,975.00. Additional funds are available in the FY 2020-2021 project budget to cover the shortfall.

<b>Mid Valley Campus Asphalt Resurfacing of the Northwest Drive Design Budget</b>	
<b>Budget Item</b>	<b>Budget Amount</b>
Design Budget	\$10,975.00
Total Revised Fee	12,165.80
<b>Design Budget Variance</b>	<b>(\$1,190.80)</b>

The Facilities Committee recommended Board approval to amend the current engineering agreements with PCE for the Mid Valley Campus Drainage Improvements Phase I project to a revised fixed fee of \$32,259.55, and for the Mid Valley Campus Asphalt Resurfacing of the Northwest Drive project to a revised fixed fee of \$12,165.80.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize amending the current engineering agreements with PCE for the Mid Valley Campus Drainage Improvements Phase I project to a revised fixed fee of \$32,259.55, and for the Mid Valley Campus Asphalt Resurfacing of the Northwest Drive project to a revised fixed fee of \$12,165.80.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes amending the current engineering agreements with PCE for the Mid Valley Campus Drainage Improvements Phase I project to a revised fixed fee of \$32,259.55, and for the Mid Valley Campus Asphalt Resurfacing of the Northwest Drive project to a revised fixed fee of \$12,165.80.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

168

Perez Consulting Engineers - Fee Adjustment Summary  
Mid Valley Campus NorthWest Drive

Company Name:	Perez Consulting Engineers		
Campus:	Mid Valley Campus		
Project Name:	NorthWest Drive		
Original Construction Budget:	\$180,000.00	Approved Construction Cost: sum of all Change Orders	\$108,853.00 <u>12,282.00</u>
		Total Adjusted Cost of Work:	<u>\$121,135.00</u>
		Fee Percent:	8.00%
*Original Fee	<u>\$8,500.00</u>	Adjusted Contract Fee:	<u>\$9,690.80</u>
Surveying Services	\$2,475.00	Original Contract Fee:	\$8,500.00
		Additional Fee Requested	<u>1,190.80</u>
		Adjusted Contract Fee:	<u>\$9,690.80</u>
		Surveying Services	<u>2,475.00</u>
Total Original Fee:	\$10,975.00	Total Adjusted Fee:	<u>\$12,165.80</u>
*not to exceed the greater of \$8,500 or 8% of Construction cost			
Total Original Fee:		\$8,500.00	
Additional Fee Requested		1,190.80	
Surveying Services		<u>2,475.00</u>	
Net Fee Adjustment:			<u>3,665.80</u>
Total Adjusted Fee:			<u>\$12,165.80</u>

**Consent Agenda Item:**

**Approval of Substantial Completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area**

Approval of substantial completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area Project is requested.

Project		Completion Recommended	Date Received
1.	Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area Project No. 2020-022C1  Engineer: Perez Consulting Engineers Contractor: Noble Texas Builders, LLC	Substantial Completion Recommended	January 4, 2021

This project has been reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as an educational space improvement to provide a realistic urban driving environment on which law enforcement students can train.

College staff visited the site and developed a construction punch list on January 4, 2021. A Certificate of Substantial Completion has been issued. Substantial Completion was accomplished within the time allowed in the Owner/Contractor agreement for this project by Noble Texas Builders, LLC. The original cost approved for this project was \$87,989.50.

The following table summarizes the current budget status:

Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area					
Construction Budget	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$88,000.00	\$87,989.50	\$0	\$87,989.50	\$20,752.27	\$67,237.23

**Enclosed Documents**

A copy of the Substantial Completion Certificate and photos are enclosed for the Board's review and information.

The Facilities Committee recommended Board approval of substantial completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area Project as presented.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize substantial completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area Project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes substantial completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area Project as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

## Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area



Rock Riprap to Detention Pond



## Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area



Asphalt Access Drive to Cityscape

## Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area



Asphalt Drive at the Cityscape

# Substantial Completion Acceptance

Project Name: RCPSE - Cityscape Remediation

Project No.: STC19130

Owner: South Texas College

Contractor: Noble Texas Builders

A/E Firm: Perez Consulting Engineers

## Scope of Work Covered by This Acceptance:

Effective Date of Acceptance: January 4th, 2021

This constitutes the Owner's acceptance for Beneficial Occupancy: Yes



No



In accordance with plans and specifications of the Contract, this is to confirm the results of the substantial completion inspection(s). The "punch list(s)" of items remaining to be completed or corrected as of the effective date of this acceptance, is formally issued under separate cover. It is expressly understood that the failure to include any items on such list (s) does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. In accordance with the Contract, the Date of Substantial Completion is that Date jointly certified by the Architect/Engineer, owner and Contractor that the Work is sufficiently completed for the Owner to utilize it, or designated portion thereof, for the intended purpose.

As of the effective date noted above, the Contractor is relieved of the responsibilities for utilities, maintenance, security, custodial services, and insurance coverage, which may pertain specifically to the Work, covered by this acceptance. The Contractor remains responsible; however, to maintain full insurance coverage as required by the Contract for any areas of the project not yet accepted, and such coverage as may be necessary for its employees and subcontractors while engaged in completion of the punch list items as identified above.

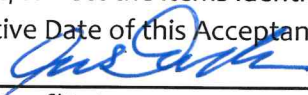
The Owner and A/E will continue to inspect the entire project, including the work accepted herein, until final completion and acceptance of all elements of the work. This inspection will cover such defects as may have been overlooked as well as the items currently remaining on the punch list (s). The date of Substantial Completion Acceptance of the Project or portion designated above is the date of issuance established by this document, which is also the date of commencement of applicable warranties required by the Contract Documents.

The **Contractor** shall complete/correct the items identified on the punch list(s) within

30

Calendar days from the Effective Date of this Acceptance.

Noble Texas Builders



1-6-21

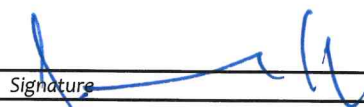
Printed Name and Title

Signature

Date

The **Architect/Engineer** agrees that the Work noted in this Acceptance is sufficiently complete to be used as intended.

Perez Consulting engineers



1-6-21

Printed Name and Title

Signature

Date

With the exception of those items noted on the attached "punch list(s)", the **Owner** accepts the Work designated herein as Substantially Complete as of the Effective Date of this Acceptance.

South Texas College

Printed Name and Title

Signature


Date





# Project Fact Sheet

1/7/2021

<b>Project Name:</b> RCPSE - Cityscape Remediation		<b>Project No.</b> 2020-022C1				
<b>Funding Source(s):</b> Unexpended Plant Fund	<b>Estimated Budget</b>		<b>Actual Expenditures To Date</b> <b>Variance of Original Budget vs. Actual Expenditures To Date</b>			
	Construction:	\$ 88,000.00	\$ 20,752.27 \$ 67,247.73			
	Design:	\$ 23,500.00	- 23,500.00			
	Miscellaneous:	\$ 18,000.00	- 18,000.00			
	FFE:	\$ -	- -			
	Technology:	\$ -	- -			
<b>Total:</b>		<b>\$ 129,500.00</b>	<b>\$ 20,752.27 \$ 108,747.73</b>			
<b>Architect/Engineer:</b> Perez CE	<b>Board Approval of Schematic Design</b> NA					
<b>Contractor:</b> Noble Texas Builders						
<b>STC FPC Project Manager:</b> Roberto S Gomez	<b>Substantial Completion</b>	TBD	<b>Board Acceptance</b> TBD			
	<b>Final Completion</b>	TBD	<b>Board Acceptance</b> TBD			
<b>Project Description</b>		<b>Project Scope</b>				
Consulting engineer to evaluate existing cityscape drainage and propose drainage improvements.		Reconstruction of cityscape and drive subgrade, flexbase and asphalt. Raise cityscape by six inches. Install edg curb, swales, and rip-rap.				
<b>Projected Timeline</b>						
Board Approval of Engineer	Board Approval of Schematic Design	Board Approval of Contractor	FFE Completion of Move In			
8/27/2019	NA	NA	NA			
<b>Project Calendar of Expenditures by Fiscal Year</b>						
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Misc.</b>	<b>FFE</b>	<b>Tech</b>	<b>Project Total</b>
2020-21	\$ 20,752.27					\$ 20,752.27
<b>Project Total</b>	<b>\$ 20,752.27</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,752.27</b>
<b>Current Agenda Item</b>						
<b>01/12/21 Facilities Committee:</b> Review and Recommend Action on Approval of Substantial Completion of the Regional Center for Public Safety Excellence Drainage Improvements at the Cityscape Area						
						

**Consent Agenda Item:**  
**Approval of Final Completion of the Pecan Campus Information  
Technology Building M Office and Work Space Renovation**

Approval of final completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation Project is requested.

Project		Completion Recommended	Date Received
1.	Pecan Campus Information Technology Building M Office and Work Space Renovation Project No. 2018-014C  Architect: Boultinghouse Simpson Gates Architects, Inc. Contractor: Noble Texas Builders, LLC	Final Completion Recommended	January 5, 2021

This project has been reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as a non-educational space improvement to accommodate staff from the Institutional Research & Effectiveness and Research & Analytical Services Departments that will be relocated from the Pecan Plaza Human Resources Building A.

Final Completion, including punch list items, was accomplished as required in the Owner/Contractor agreement for this project. It is recommended that final completion and release of final payment for this project with Noble Texas Builders be approved. The original contractor's cost approved for this project was \$389,600.00.

The following chart summarizes the above information:

Pecan Campus Information Technology Building M Office and Work Space Renovation						
Original Owner's Estimated Construction Budget FY 18-19	Updated Construction Budget FY 19-20	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$320,000.00	\$420,000.00	\$389,600.00	(\$511.00)	\$389,089.00	\$366,634.40	\$22,454.60

On January 5, 2021, Boultinghouse Simpson Gates Architects, Inc. verified that all punch list items were completed.

**Enclosed Documents**

A copy of the final completion letter is enclosed for the Board's review and information.

The Facilities Committee recommended Board approval of final completion and release of final payment of \$22,454.60 to Noble Texas Builders for the Pecan Campus Information Technology Building M Office and Work Space Renovation Project as presented.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize final completion and release of final payment of \$22,454.60 to Noble Texas Builders for the Pecan Campus Information Technology Building M Office and Work Space Renovation Project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes final completion and release of final payment of \$22,454.60 to Noble Texas Builders for the Pecan Campus Information Technology Building M Office and Work Space Renovation Project as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

# Pecan Campus Information Technology Building M Office and Work Space Renovation



Entrance

# Pecan Campus Information Technology Building M Office and Work Space Renovation



Reception Lobby Area



# Pecan Campus Information Technology Building M Office and Work Space Renovation



Break Room

# Pecan Campus Information Technology Building M Office and Work Space Renovation



Conference Room



1-5-2021

Mr. Rick de la Garza  
Director of Facilities Planning and Construction  
South Texas College  
P.O. Box 9701  
McAllen, Tx. 78502-9701

Re: Final Completion for STC Pecan Campus Building M Office and Workspace Renovation  
#19-20-1029

Mr. De la Garza,

As of January 5th, 2021, with one exception, Noble Texas Builders has completed construction and has addressed all punch list items for the South Texas College Information Technology Building M Office and Workspace Renovation project. The one exception is the matching of a very small amount of new VCT flooring in the existing corridors in front of the two entrances. This VCT flooring is still pending.

To the best of my knowledge, the work has been performed in accordance with the Contract Documents and I recommend final acceptance.

If you have any questions or need any additional information, please don't hesitate to call me.



Sincerely,

A handwritten signature in blue ink that reads "John Gates, AIA". The signature is stylized and fluid.

John Gates, AIA  
Boultinghouse Simpson Gates Architects

cc: ncl/file

# Project Fact Sheet 1/7/2021

<b>Project Name:</b> Pecan Campus - Building M Office and Work Space Renovation		<b>Project No.</b> 2018-014C	
<b>Funding Source(s):</b> Unexpended Plant Fund		<u>Original Budget</u>	<u>Revised Budget</u> <u>Actual Expenditures To Date</u> <u>Variance of Revised Budget vs. Actual Expenditures To Date</u> <u>Variance of Original Budget vs. Actual Expenditures To Date</u>
	Construction:	\$ 320,000	\$ 389,089 \$ 366,634.40 \$ 22,455 \$ (46,634.40)
	Other Construction Costs:	-	- 17,741.11 (17,741) (17,741.11)
	Design:	32,400	42,000 27,683.40 14,317 4,716.60
	Miscellaneous:	4,860	5,755 4,098.12 1,657 761.88
	FFE:	45,000	80,000 9,887.30 70,113 35,112.70
	Technology:	27,540	27,540 36,621.62 (9,082) (9,081.62)
<b>Total:</b>	<b>\$ 429,800</b>	<b>\$ 544,384 \$ 462,665.95 \$ 81,718 \$ (32,865.95)</b>	
<b>Architect:</b> BSG Architects	<b>Board Approval of Schematic Design</b> 5/28/2019  <b>Substantial Completion</b> 11/23/2020 <b>Board Acceptance</b> 12/15/2020  <b>Final Completion</b> 1/5/2021 <b>Board Acceptance</b> TBD		
<b>Contractor:</b> Noble Texas Builders, LLC.			
<b>STC FPC Project Manager:</b> Martin Villarreal			
<b>Project Description</b>		<b>Project Scope</b>	
The project will consist of renovating four (4) classrooms in Information Technology Building M into office spaces and a conference room for use by IS&P.		Demolish existing walls and infrastructure, renovation of walls, flooring, ceiling, and interior finishes, and adding electrical, data, and HVAC infrastructure for a 4,222 sq. ft. space.	
<b>Projected Timeline</b>			
Board Approval of Architect	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date
12/13/2018	5/28/2019	3/31/2020	6/30/2020
		Substantial Completion Date	Final Completion Date
		11/23/2020	1/5/2020
<b>Project Calendar of Expenditures by Fiscal Year</b>			
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Misc.</b>
2018-19	\$ -	\$ 22,200.00	\$ 2,749.35
2019-20	\$ 195,050.90	\$ 5,483.40	\$ 1,348.77
2020-21	\$ 189,324.61	\$ -	\$ -
<b>Project Total</b>	<b>\$ 384,375.51</b>	<b>\$ 27,683.40</b>	<b>\$ 4,098.12</b>
			<b>\$ 9,887.30</b>
			<b>\$ 36,621.62</b>
			<b>\$ 462,665.95</b>
<b>Current Agenda Item</b>			
01/12/21 Facilities Committee: Review and Recommend Action on Approval of Final Completion of the Pecan Campus Information Technology Building M Office and Work Space Renovation			
			

**Consent Agenda Item:**  
**Approval of Final Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas**

Approval of final completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project is requested.

Project		Completion Recommended	Date Received
1.	Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project No. 2019-009C  Architect: Rike Ogden Figueroa Alex Architects, Inc. Contractor: Noble Texas Builders, LLC	Final Completion Recommended	January 6, 2021

This project has been reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project is scheduled as a noneducational space improvement to relocate Student Services department staff and Cashiers department staff.

Final Completion, including punch list items, was accomplished as required in the Owner/Contractor agreement for this project. It is recommended that final completion and release of final payment for this project with Noble Texas Builders be approved. The original contractor's cost approved for this project was \$246,745.00.

The following chart summarizes the above information:

Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas					
Construction Budget	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$200,000.00	\$246,745.00	\$3,829.00	\$250,574.00	\$237,627.30	\$12,946.70

On January 6, 2021, Rike Ogden Figueroa Alex Architects, Inc. verified that all punch list items were completed.

**Enclosed Documents**

A copy of the final completion letter is enclosed for the Board's review and information.

The Facilities Committee recommended Board approval of final completion and release of final payment of \$12,946.70 to Noble Texas Builders for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project as presented.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize final completion and release of final payment of \$12,946.70 to Noble Texas Builders for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes final completion and release of final payment of \$12,946.70 to Noble Texas Builders for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

# Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas



Exterior View



# Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas



Exterior View



January 6, 2021

**Mr. Ricardo de la Garza, Associate AIA**  
Director of Facilities, Planning & Construction  
**South Texas College**  
P.O. Box 9701  
McAllen, Tx 78501

Re: Mid-Valley Campus Student Services Building Renovation Project (RFP: 19-20-1030)

### STATEMENT OF FINAL COMPLETION

I, the undersigned Architect of the above designated project, do hereby state that:

1. The construction provided for pursuant to CONTRACT DOCUMENTS including all approved amendments and Change Orders, hereafter called the WORK between the OWNER and CONTRACTOR has been completed and to the best of my knowledge and belief, is in substantial compliance with the provisions of the CONTRACT DOCUMENTS.
2. The final payment authorized hereto and made a part hereof is a complete and accurate summary of the WORK performed in accordance with the CONTRACT DOCUMENTS.
3. The total cost of the WORK as completed is \$250,134.00.

I recommend, under the provisions of the CONTRACT DOCUMENTS, that the WORK be accepted, and that the final payment be made.


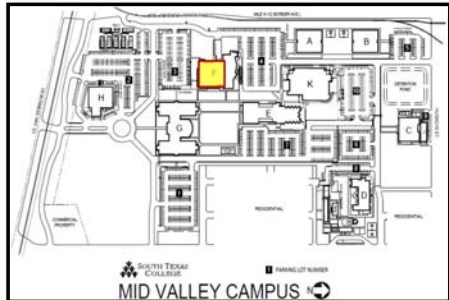


Luis A. Figueroa, AIA

The CONTRACTOR shall guarantee materials and equipment furnished and construction performed by providing a PERFORMANCE BOND which shall remain in full force and effect for a period of one year from date of acceptance by OWNER.

# Project Fact Sheet

## 1/7/2021

Project Name: MV Campus - Student Union Building F Renovation		Project No. 2019-009C				
Funding Source(s): Unexpended Plant Fund		Original Budget	Contracted Budget	Actual Expenditures To Date	Variance of Contracted Budget vs. Actual Expenditures To Date	Variance of Original Budget vs. Actual Expenditures To Date
	Construction:	\$ 200,000	\$250,134.00	\$237,627.30	\$12,506.70	(\$37,627.30)
	Design:	20,000	24,077.40	15,133.00	8,944.40	4,867.00
	Miscellaneous:	5,000	2,751.60	2,503.18	248.42	2,496.82
	FFE:	80,000	-	-	-	80,000.00
	Technology:	50,000	-	12,943.32	(12,943.32)	37,056.68
	Total:	\$ 355,000	\$276,963.00	\$268,206.80	\$66,274.05	\$86,793.20
Architect: Rike Ogden Figueroa Allex Architects, Inc. - 10/30/18	Board Approval of Schematic Design 08/27/2019					
Contractor: Noble Texas Builders, LLC.						
STC FPC Project Manager: Samuel Saldana	Substantial Completion	11/25/2020	Board Acceptance	TBD		
	Final Completion	TBD	Board Acceptance	TBD		
Project Description		Project Scope				
This project will be a renovation to the existing Cashiers and Admissions area in the Student Union Building F.		Project scope includes the renovation of the cashiers and admissions area of the Student Union Building F. It will be renovated to create a larger space for the cashiers department, which will include a new SPIRIT office, supervisors office, work area, storage area, and payment lab. Career and Employer services will move into the cashiers area to create a small computer lab, reception area, small storage area, offices, and interview room.				
Projected Timeline						
Board Approval of Architect	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date	Substantial Completion Date	Final Completion Date	FFE Completion of Move In
10/30/2018	8/27/2019	3/31/2020	6/19/2020	11/25/2020	12/25/2020	1/25/2021
Project Calendar of Expenditures by Fiscal Year						
Fiscal Year	Construction	Design	Misc.	FFE	Tech	Project Total
2018-19		\$2,775.00	\$1,251.60	\$ -		\$4,026.60
2019-20	\$84,403.70	\$12,358.00	\$1,251.58			\$98,013.28
2020-21	\$153,223.60				\$12,943.32	\$166,166.92
Project Total	\$237,627.30	\$15,133.00	\$2,503.18	\$ -	\$12,943.32	\$268,206.80
Current Agenda Item						
01/12/21 Facilities Committee: Review and Action as Necessary on Architectural Fee Adjustment for the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas Project						
01/12/21 Facilities Committee: Review and Recommend Action on Approval of Final Completion of the Mid Valley Campus Student Union Building F Renovation of Cashiers and Career & Employer Services Areas						
<div><div></div><div></div></div>						

**Consent Agenda Item:**  
**Approval of Final Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive**

Approval of final completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project is requested.

Project		Completion Recommended	Date Received
1.	Mid Valley Campus Drainage Improvements Phase I (Project No. 2019-047R) and Asphalt Resurfacing for the Northwest Drive (Project No. 2018-019R)  Engineer: Perez Consulting Engineers Contractor: McAllen Multi-Service	Final Completion Recommended	January 6, 2021

This project has been reviewed by the Facilities Planning & Construction department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project was scheduled as an exterior Renewal & Replacement project to address drainage concerns and maintain a parking lot and drive on campus. The proposed drainage improvements would be critical to avoid potential flooding on campus in preparation for future hurricane or rain events.

Final Completion, including punch list items, was accomplished as required in the Owner/Contractor agreement for this project. It is recommended that final completion and release of final payment for this project with McAllen Multi-Service be approved. The original contractor's cost approved for this project was \$480,228.00.

The following chart summarizes the above information:

Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive					
Construction Budget	Approved Proposal Amount	Net Total Change Orders	Current Project Cost	Previous Amount Paid	Remaining Balance
\$520,000.00	\$480,228.00	\$19,151.43	\$499,379.43	\$448,351.14	\$51,028.29

On January 6, 2021, Perez Consulting Engineers verified that all punch list items were completed.

**Enclosed Documents**

A copy of the final completion letter is enclosed for the Board's review and information.

The Facilities Committee recommended Board approval of final completion and release of final payment of \$51,028.29 to McAllen Multi-Service for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project as presented.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize final completion and release of final payment of \$51,028.29 to McAllen Multi-Service for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes final completion and release of final payment of \$51,028.29 to McAllen Multi-Service for the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive Project as presented.

**Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

## Mid Valley Campus Drainage Improvements Phase I and Resurfacing of the Northwest Drive



West Swale - Building A



## Mid Valley Campus Drainage Improvements Phase I and Resurfacing of the Northwest Drive



West Swale - Building A

## Mid Valley Campus Drainage Improvements Phase I and Resurfacing of the Northwest Drive



West Drainage Improvements along Border Ave.



# Mid Valley Campus Drainage Improvements Phase I and Resurfacing of the Northwest Drive



Northwest Drive





January 6, 2021

Ricardo De La Garza, Director  
Facilities Planning and Construction  
South Texas College  
3200 W. Pecan Blvd.  
McAllen, TX 78501

**Re: Final Inspection  
STC Mid Valley Drainage Improvements  
Weslaco, Texas**

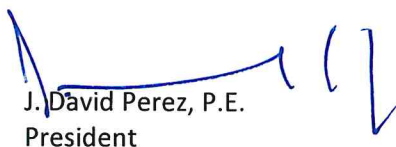
Dear Mr. De La Garza,

On January 5, 2021 PCE Engineer David Perez P.E., inspected the project site along with representatives from McAllen Multiservice (MMS) Gabriel Carrillo and STC representatives Rick De La Garza and Sam Saldana. The site was visually inspected and to the best of my knowledge all items found deficient in accordance with the plans and specifications have been completed except for the following:

1. Silicone Joint sealant to be installed on sidewalk construction joints.
2. Pavement markings shall be hot applied thermoplastic paint.
3. Manhole No. 8 will need a grated lid in lieu of solid lid (has been ordered by contractor but has yet to arrive)
4. Manhole 7A will need grate and grading around inlet (has been ordered by contractor but has yet to arrive)
5. Inlet No. 13 lacking grate (has been ordered by contractor but has yet to arrive).
6. Contractor to submit As-built Drawings.
7. Warranty Letter

Based on the requirements outlined in the contract documents for final completion, we recommend contract amount to be paid except for retainage until the above items are completed. If you have any questions, please feel free to contact me at 956.631.4482 or email me at [dp@perezce.com](mailto:dp@perezce.com).




Respectfully submitted,  
Perez Consulting Engineers, LLC

  
J. David Perez, P.E.  
President

CC: Ricardo De La Garza, STC  
Samuel Saldana, STC  
Gabriel Carrillo, McAllen Multi-Service

# Project Fact Sheet

## 1/6/2021

<b>Project Name:</b> MV Campus - Drainage & Resurfacing of Parking Lot 3 and NW Drive		<b>Project No.</b> 2019-047R				
<b>Funding Source(s):</b> Renewals & Replacements Fund		<b>Original Budget</b>	<b>Variance of Revised</b>			
		<b>Revised</b>	<b>Budget vs Actual</b>			
		<b>Actual</b>	<b>Variance of Original</b>			
		<b>Expenditures</b>	<b>Budget vs. Actual</b>			
		<b>To Date</b>	<b>Expenditures To</b>			
		<b>Date</b>	<b>Expenditures To Date</b>			
Construction:	\$520,000.00	\$499,379.43	\$448,351.14	\$51,028.29	\$71,648.86	
Design:	\$37,000.00	39,975.00	44,410.75	(\$4,435.75)	(7,410.75)	
Miscellaneous:	25,203.00	21,203.00	5,318.84	\$15,884.16	19,884.16	
FFE:	-	-	-	-	-	
Technology:	-	-	-	-	-	
<b>Total:</b>	<b>\$ 582,203</b>	<b>\$ 560,557</b>	<b>\$498,080.73</b>	<b>\$62,476.70</b>	<b>\$84,122.27</b>	
<b>Architect/Engineer:</b> Perez Consulting Engineers	<b>Board Approval of Schematic Design</b> 9/24/2019					
<b>Contractor:</b> McAllen Multi-Service						
<b>STC FPC Project Manager:</b> Samuel Saldana	<b>Substantial Completion</b>	11/23/2020	<b>Board Acceptance</b>	TBD		
	<b>Final Completion</b>	TBD	<b>Board Acceptance</b>	TBD		
<b>Project Description</b>		<b>Project Scope</b>				
Existing stormwater Drainage along the west side of campus will be updated along with the resurfacing of the North West drive and parking lot #3.		The west side of campus storm drainage will be updated and improved to accommodate storm water discharge. North West Drive will be redone after drainage improvements are completed under the drive. Parking lot will be recoated and some areas resurfaced as part of the improvements of parking lots on the Mid Valley Campus.				
<b>Projected Timeline</b>						
Board Approval of Engineer	Board Approval of Schematic Design	Board Approval of Contractor	Construction Start Date	Substantial Completion Date	Final Completion Date	FFE Completion of Move In
6/25/2019	9/24/2019	4/28/2020	6/11/2020	11/23/2020	12/23/2020	N/A
<b>Project Calendar of Expenditures by Fiscal Year</b>						
<b>Fiscal Year</b>	<b>Construction</b>	<b>Design</b>	<b>Misc.</b>	<b>FFE</b>	<b>Tech</b>	<b>Project Total</b>
2017-18	\$ -	\$ -	\$1,435.70	\$ -	\$ -	\$1,435.70
2018-19	\$ -	\$ -	\$703.20	\$ -	\$ -	\$703.20
2019-20	\$194,493.12	\$41,932.00	\$2,605.69	\$ -	\$ -	\$239,030.81
2020-21	\$253,858.02	\$2,478.75	\$574.25	\$ -	\$ -	\$256,911.02
<b>Project Total</b>	<b>\$448,351.14</b>	<b>\$44,410.75</b>	<b>\$5,318.84</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$498,080.73</b>
<b>Current Agenda Item</b>						
01/12/21 Facilities Committee: Review and Action as Necessary on Engineering Fee Adjustment for the Mid Valley Campus Drainage Improvements Phase I						
01/12/21 Facilities Committee: Review and Recommend Action on Approval of Final Completion of the Mid Valley Campus Drainage Improvements Phase I and Asphalt Resurfacing for the Northwest Drive						
  						

## **Review and Ratification of Facilities Usage Agreement with Main Event Entertainment**

On August 25, 2020, the Board approved the use of a list of facilities by the Kinesiology Department, for student activities. Usage of these facilities is governed by individual Facilities Usage Agreements, and the cost of such usage is recouped through the Physical Education Special Activity Fee.

For the Spring 2021 semester, the Kinesiology Program requested permission to use Main Event Entertainment for students enrolled in bowling activities.

The proposed cost includes a building fee and an additional \$5 per student per class meeting day during the Spring 2021 semester, with no deposit required. The total estimated cost is \$2,790, which will be partially offset by the Physical Education Special Activity Fee.

On Thursday, January 14, 2021, Dr. David Plummer, Interim President, emailed the trustees to inform them of the need to enter into this agreement in preparation for the start of classes on Tuesday, January 19, 2021. Having received no concern in response to that email, Dr. Plummer authorized the facilities usage agreement as proposed.

The Board is now asked to ratify the facilities usage agreement with Main Event Entertainment, in the estimated amount of \$2,790.

### **Recommendation:**

It is recommended that the Board of Trustees of South Texas College ratify the facilities usage agreement with Main Event Entertainment, in the estimated amount of \$2,790.

### **The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of South Texas College ratifies the facilities usage agreement with Main Event Entertainment, in the estimated amount of \$2,790.

### **Approval Recommended:**

**David C. Plummer, M.B.A., Ed.D.**  
**Interim President**

## **Review and Action as Necessary on Approval of Proposed Change Orders for the Nursing and Allied Health Campus and Starr County Campus Student Services Renovations**

Approval of proposed change orders with Holchemont, LTD for the Nursing and Allied Health Campus (NAHC) and Starr County Campus Student Services Renovations projects is requested..

### **Purpose**

The purpose of the change orders are to request authorization to begin work on the proposed modifications to the construction scope of each project, both of which are included under a single contract with Holchemont, LTD.

### **Scheduling Priority**

*Starr County Campus Student Services Building G Cashiers and Veterans Affairs Areas Renovation*

This project was requested due to the space made available when the Student Enrollment Center was expanded as part of the 2013 Bond Construction Program. The Admissions area was vacated and the Cashiers department planned to use the available space. In addition, due to the Cashiers department relocation, a Veterans Affairs area was to be created in the vacated Cashiers space. The initial planning was provided as part of the Bond Construction Program. The project has been reviewed by the FPC department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project is scheduled as a non-educational space improvement to enhance Student Services and Cashiers areas to make more efficient and effective use of space.

*Nursing Allied Health Campus East Building A Student Services Renovation*

This project was originally submitted in 2017 and expanded in 2018 by the Student Services department to include the entire Student Services and Cashiers areas. The project has been reviewed by the FPC department, the President's Cabinet, the Coordinated Operations Council, the Facilities Committee, and the Board of Trustees. This project is scheduled as a non-educational space improvement to provide more efficient and effective use of space for the Student Services areas and Cashiers area. The existing Student Services area has been in operation since 2005, and staff would like to provide a one-stop shop for the enrollment process and provide renovation improvements to meet the College's current space design standards that have been implemented at the Pecan, Mid Valley, and Starr County Campuses. In addition, the current state standards for ADA testing require revised accommodations which have also been incorporated into the design.

### **Justification**

Modifications to the scope are required to provide sufficient materials and services for the projects.

### **Background**

On July 28, 2020, the Board approved contracting construction services with Holchemont, LTD for both projects for a total amount of \$400,000.

#### ***Starr County Campus Student Services Building G Cashiers and Veterans Affairs Areas Renovation***

Due to unforeseen conditions in the wall infrastructure, modifications to the scope of work are required. A water line must be relocated to accommodate a hose bib at the Payment Center, and a light switch must be relocated.

#### ***Nursing Allied Health Campus East Building A Student Services Renovation***

The installation of additional bullet-resistant panels is required at the Cashiers area to extend the material to a total of 8 feet for adequate protection of staff. Additionally, the change order would authorize extending a door frame and glazing to match existing door heights, and providing an access panel at the ceiling to allow access to a junction box at the enrollment center.

The total increase amount for both change orders is \$5,665. Below is a description of the proposed change order items.

<b>Starr County Campus Student Services Building G Cashiers and Veterans Affairs Areas Renovation</b>			
<b>Proposed Change Order No.</b>	<b>Item Description</b>	<b>Cost/ Days</b>	<b>Funding Source</b>
1	<ul style="list-style-type: none"> <li>Relocate water line to accommodate hose bib at Payment Center</li> <li>Relocate light switch</li> </ul>	\$717.20 3 days	Unexpended Plant Fund

<b>Nursing and Allied Health Campus East Building A Student Services Renovation</b>			
<b>Proposed Change Order No.</b>	<b>Item Description</b>	<b>Cost/ Days</b>	<b>Funding Source</b>
2	<ul style="list-style-type: none"> <li>Extend bullet-resistant panels to a total of 8 feet</li> <li>Extend door frames</li> <li>Provide an access panel for junction box</li> </ul>	\$4,947.80 5 days	Unexpended Plant Fund

Below is a table summarizing the construction cost and the change order proposal.

<b>Nursing and Allied Health Campus and Starr County Campus Student Services Renovations Change Order Proposals</b>	
Construction Contract Amount	\$400,000.00
Proposed Change Order No. 1 - Starr	717.20
Proposed Change Order No. 2 - NAHC	4,947.80
Total Amount for Change Orders	5,665.00
Revised Construction Contract Amount	<b>\$405,665.00</b>

<b>Project Completion Timeline</b>	
Substantial Completion Date:	December 26, 2020
Additional time for this work will be increased by:	8 days
Final Completion Date:	January 3, 2021

An additional change order will be requested extending the completion days to accommodate additional days as necessary for Board approval of the presented change orders.

#### **Funding Source**

Funds for the Nursing & Allied Health Campus East Building A Student Services Renovation Project 2019-006C and Starr County Campus Student Services Building G Cashiers and Veterans Affairs Areas Renovation Project 2018-020C are available within the unexpended balance of the project budget, as itemized in the Unexpended Construction Plant Fund budget for fiscal year 2020-2021.

The construction budget for the Starr County Campus Student Services Building G Cashiers and Veterans Affairs Areas Renovation is \$188,000, and the construction budget for the Nursing Allied Health Campus East Building A Student Services Renovation is 247,000. The total combined construction budget is \$435,000. The total construction costs between the two renovation projects are combined since the projects were awarded as one contract to the contractor, Holchemont, LTD. The contractor's contract approved by the Board is \$400,000.

Below is a summary of the combined construction budget for the projects.

<b>Nursing and Allied Health Campus and Starr County Campus Student Services Renovations Construction Budget</b>	
<b>Budget</b>	<b>Amount</b>
Starr Student Services Construction Budget	\$188,000
NAHC Student Services Construction Budget	247,000
<b>Total Construction Budget Amount</b>	<b>\$435,000</b>

Below is the variance of the construction budget if the change orders are approved.

<b>Nursing and Allied Health Campus and Starr County Campus Student Services Renovations Construction Budget Variance</b>	
<b>Budget</b>	<b>Amount</b>
Total Construction Budget	\$435,000
Revised Construction Contract Amount	405,665
<b>Variance</b>	<b>\$29,335</b>

**Enclosed Documents**

The proposed change orders #1 and #2 are enclosed.

While these change orders were not available at the time of the Facilities Committee, administration was expecting to receive them in time for consideration by the Board. The Committee informally advised administration to place them on the January 26, 2021 Regular Board Meeting agenda for review by the Board.

**Recommendation:**

It is recommended that the Board of Trustees of South Texas College approve and authorize the proposed change orders with Holchemont, LTD in the amount of \$5,665 and eight (8) additional days for the Nursing and Allied Health Campus (NAHC) and Starr County Campus Student Services Renovations projects as presented.

**The Following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of Trustees of South Texas College approves and authorizes the proposed change orders with Holchemont, LTD in the amount of \$5,665 and eight (8) additional days for the Nursing and Allied Health Campus (NAHC) and Starr County Campus Student Services Renovations projects as presented.

**Approval Recommended:**

David C. Plummer, M.B.A., Ed.D.  
Interim President



JAN 6 2021 AM 8:10



# AIA® Document G701™ – 2017

## Change Order

**PROJECT:** (Name and address)  
19.18 STC NAH Campus & Starr County  
Campus Student Services Renovations  
McAllen, TX and Rio Grande City, TX

**CONTRACT INFORMATION:**  
Contract For: General Construction  
Date: September 9, 2020

**CHANGE ORDER INFORMATION:**  
Change Order Number: 001  
Date: November 25, 2020

**OWNER:** (Name and address)  
South Texas College (STC)  
3200 W. Pecan Blvd.  
McAllen, TX 78501

**ARCHITECT:** (Name and address)  
Gignac & Associates  
416 Starr St.  
Corpus Christi, Texas 78401

**CONTRACTOR:** (Name and address)  
Holchemont, LTD  
900 N. Main St.  
McAllen, TX 78501

### THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

### STARR COUNTY CAMPUS

- PR-04 PCO-01 Relocate water line to accomodate hose bib at Payment Center \$462.00
  - PR-02 PCO-03R Relocate light switch \$190.00
- Sub-Total \$652.00  
O&P @ 10% = \$65.2  
**TOTAL CHANGE ORDER = \$717.20**

The original Contract Sum was	\$ 400,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 400,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 717.20
The new Contract Sum including this Change Order will be	\$ 400,717.20

The Contract Time will be increased by Three (3) days.  
The new date of Substantial Completion will be December 29, 2020

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

### NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Gignac & Associates  
**ARCHITECT** (Firm name)

**SIGNATURE**

Raymond Gignac, Principal  
**PRINTED NAME AND TITLE**

November 25, 2020  
**DATE**

Holchemont, LTD  
**CONTRACTOR** (Firm name)

**SIGNATURE**

Michael Montalvo, Manager  
**PRINTED NAME AND TITLE**

1/4/2021  
**DATE**

South Texas College (STC)  
**OWNER** (Firm name)

**SIGNATURE**

College President  
**PRINTED NAME AND TITLE**

**DATE**



JAN 6 2021 AM 8:10



# AIA® Document G701™ – 2017

## Change Order

<b>PROJECT:</b> (Name and address) 19.18 STC NAH Campus & Starr County Campus Student Services Renovations McAllen, TX and Rio Grande City, TX	<b>CONTRACT INFORMATION:</b> Contract For: General Construction  Date: September 9, 2020	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 002  Date: November 25, 2020
<b>OWNER:</b> (Name and address) South Texas College (STC) 3200 W. Pecan Blvd. McAllen, TX 78501	<b>ARCHITECT:</b> (Name and address) Gignac & Associates 416 Starr St. Corpus Christi, Texas 78401	<b>CONTRACTOR:</b> (Name and address) Holchemont, LTD 900 N. Main St. McAllen, TX 78501

### THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

### NAH McALLEN CAMPUS

- PR-01 PCO-04 Provide additional Armcore level 3 bullet resistant panels at cashiers. \$3,640.00
- PR-03 PCO-02 Extend frames and glazing to accomodate existing doors' height. \$588.00
- PR-05 PCO-06 Provide access door for junction box at enrollment center. \$270.00

Sub-total = \$4,498.00

O&P @ 10% = \$449.80

**TOTAL CHANGE ORDER = \$4,947.80**

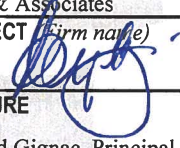

The original Contract Sum was	\$ 400,000.00
The net change by previously authorized Change Orders	\$ 717.20
The Contract Sum prior to this Change Order was	\$ 400,717.20
The Contract Sum will be increased by this Change Order in the amount of	\$ 4,947.80
The new Contract Sum including this Change Order will be	\$ 405,665.00

The Contract Time will be increased by five (5) days.

The new date of Substantial Completion will be January 3, 2021

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

### NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Gignac & Associates <b>ARCHITECT</b> (Firm name)	Holchemont, LTD <b>CONTRACTOR</b> (Firm name)	South Texas College (STC) <b>OWNER</b> (Firm name)
 <b>SIGNATURE</b>	 <b>SIGNATURE</b>	 <b>SIGNATURE</b>
Raymond Gignac, Principal <b>PRINTED NAME AND TITLE</b>	Michael Montalvo, Manager <b>PRINTED NAME AND TITLE</b>	College President <b>PRINTED NAME AND TITLE</b>
Number 25, 2020 <b>DATE</b>	1/4/2021 <b>DATE</b>	 <b>DATE</b>

### **Update on Status of Unexpended Plant Fund Construction Projects and Renewals & Replacements Projects**

The Facilities Planning and Construction staff prepared the attached design and construction update. This update summarizes the status of each capital improvement and renewals & replacements project currently in progress. Mary Elizondo and Rick de la Garza will be present to respond to questions and address concerns of the Board.

**South Texas College**  
**Monthly Construction Report**  
**Fiscal Year 2020 - 2021**  
**As of January 6, 2021**

<b>Total Project Budget Summary</b>	<b>FY21 Unexpended Plant Fund</b>	<b>FY21 Renewals &amp; Replacements</b>
Total Construction Project Budget	\$ 10,982,474	\$ 4,883,890
Previously Approved Projects for September - December 2020	(967,330)	(471,919)
Proposed Project(s) for the Month of January 2021	(353,116)	-
<b>Total Project Budget Balance</b>	<b>\$ 9,662,028</b>	<b>\$ 4,411,971</b>

Project Reference #	Project Name	Total Project Budget/Actual*	
		CIP Fund	R&R Fund
Board Approved on September 22, 2020			
2020-008C	Pecan Campus Business and Science Building G Classroom Conversion of Two (2) Classrooms to Geology Labs - CO	\$ 267,700	\$ -
2020-002C	Pecan Plaza West Building C Kinesiology Storage and Restroom Renovations	142,538	-
2019-047R	Mid Valley Campus Drainage Improvements Phase I - CO	-	302,919
2018-019R	Asphalt Resurfacing for the Northwest Drive - CO	-	92,971
Total Board Approved on September 22, 2020		\$ 410,238	\$ 302,919
Board Approved on October 27, 2020			
2021-011R	Nursing and Allied Health Campus NAH East Building A Exterior Stairs Repairs and Replacement	\$ -	\$ 169,000
2019-019C	Regional Center for Public Safety Excellence Additional Chiller Installation Project - CO	170,000	-
2020-019C	District Wide Automatic Door Openers Phase IV	95,120	-
2020-022C	Regional Center for Public Safety Excellence Site Drainage Improvements Conditions	356,255	-
Total Board Approved on October 27, 2020		\$ 265,120	\$ 169,000
Board Approved on November 24, 2020			
2019-015C	Regional Center for Public Safety Excellence Indoor Shooting Range - CO	\$ 291,972	\$ -
Total Board Approved on November 24, 2020		\$ 291,972	\$ -

**South Texas College**  
**Monthly Construction Report**  
**Fiscal Year 2020 - 2021**  
**As of January 6, 2021**

Project Reference #	Project Name	Total Project Budget/Actual*	
		CIP Fund	R&R Fund
Pending Board Approval on January 26, 2021			
2016-014C1	Pecan Campus Sand Volleyball Court Sand Replacement (CO)	\$ 44,450	\$ -
2019-009C	Mid Valley Campus Student Union Bldg F. Renovation of Cashiers and Career & Employer Services Areas (CO)	\$ 308,666	\$ -
Total Pending Board Approval on January 26, 2021		\$ 353,116	\$ -
Current Total Project Budget		\$ 1,320,446	\$ 471,919

\* Actuals costs will be updated as project progresses.

CO - Carry over project from previous year.

South Texas College  
Unexpended Plant Fund - Capital Improvement Projects (CIP)  
Project Status  
FY 2020 - 2021

#	Projects	FPC Project Managers	Not Started	Project Development	Design Phase	Bidding and Negotiations	Construction Phase	Substantial Completion	Final Completion	Move In	Completed	Total Project Budget	Amount Paid	Total Project Balance	FY2021 Budget	Priority Status	Upcoming Board Meeting Item	Architect/ Engineering Firm	Contractor	
Pecan Campus																				
1	Business and Science Building G Classroom Renovation	SS			●							\$ 275,003	\$ 3,438	\$ 271,565	\$ 267,700	High	March 2021	Approval of Construction Services	EGV Architects	TBD
2	Sand Volleyball Courts	DV					●					\$ 113,008	\$ 91,879	\$ 21,129	\$ -	High	N/A		Alvarado Architects & Assoc.	NM Contracting, LLC (Terminated)
3	Sand Volleyball Courts - Sand Replacement	DV						●				\$ 43,711	\$ 51,479	\$ (7,768)	\$ 44,450	High	January 2021	Approval of Change Order #2	Alvarado Architects & Assoc.	Limon Masonry
4	Library Building F Renovation and Expansion	DV			●							\$ 1,572,047	\$ 183,825	\$ 1,388,222	\$ 1,442,266	High	February 2021	Approval of Schematic Design	ERO Architects	TBD
5	Information Technology Building M Office and Work Space Renovation	MV					●					\$ 624,445	\$ 462,666	\$ 161,779	\$ 499,435	High	January 2021	Approval of Final Completion	Boultinghouse Simpson Gates Architects	Noble Texas Builders
6	Student Activities Center Building H Cafeteria Renovation	MV									●	\$ 957,600	\$ 720,789	\$ 236,811	\$ 195,627	Completed	N/A		EGV Architects	Noble Texas Builders
7	Student Services Building K Renovations	TBD	●									\$ 26,200	\$ -	\$ 26,200	\$ 26,200	Medium	TBD	TBD	TBD	N/A
8	New Continuing Education Building	RC	●									\$ 398,160	\$ -	\$ 398,160	\$ 398,160	Low	TBD	TBD	TBD	TBD
Pecan Campus Subtotal												\$ 4,010,174	\$ 1,514,076	\$ 2,496,098	\$ 2,873,838					
Pecan Plaza																				
9	West Building C Kinesiology Renovation	MV			●							\$ 36,909	\$ 6,739	\$ 30,170	\$ 142,538	High	March 2021	Approval of Construction Services	Alvarado Architects & Assoc.	TBD
10	Human Resources Building A Renovation	RG		●								\$ 141,000	\$ -	\$ 141,000	\$ 141,000	Medium	N/A		N/A	O&M
11	Human Resources Building A Entry Court Yard Improvements	DV				●						\$ 16,000	\$ -	\$ 16,000	\$ 16,000	High	N/A		N/A	TBD
Pecan Plaza Subtotal												\$ 193,909	\$ 6,739	\$ 187,170	\$ 299,538					
Mid-Valley Campus																				
12	Student Union Building F Renovation	SS						●				\$ 389,224	\$ 268,207	\$ 121,017	\$ 308,666	High	January 2021	Approval of Final Completion	ROFA Architects	Noble Texas Builders
13	Center for Learning Excellence Building A Renovation of Space for Supplemental Instruction	DV		●								\$ 224,200	\$ 2,008	\$ 222,192	\$ 223,200	High	TBD	TBD	The Warren Group Architects	TBD
Mid Valley Campus Subtotal												\$ 613,424	\$ 270,214	\$ 343,210	\$ 531,866					
Technology Campus																				
14	Emerging Technologies Building A & Advanced Technical Careers Building B Renovation	SS			●							\$ 151,320	\$ 820	\$ 150,500	\$ 150,500	High	March 2021	Approval of Master Plan	EGV Architects	TBD
Technology Campus Subtotal												\$ 151,320	\$ 820	\$ 150,500	\$ 150,500					

South Texas College  
Unexpended Plant Fund - Capital Improvement Projects (CIP)  
Project Status  
FY 2020 - 2021

#	Projects	FPC Project Managers	Not Started	Project Development	Design Phase	Bidding and Negotiations	Construction Phase	Substantial Completion	Final Completion	Move In	Completed	Total Project Budget	Amount Paid	Total Project Balance	FY2021 Budget	Priority Status	Upcoming Board Meeting Item	Architect/ Engineering Firm	Contractor	
Nursing and Allied Health Campus Subtotal																				
15	East Building A Student Services Renovation	SS					●					\$ 396,616	\$ 66,920	\$ 329,696	\$ 375,270	High	February 2021	Approval of Substantial Completion	Gignac Architects	Holchemont
16	West Entry Campus Sign	DV									●	\$ 80,353	\$ 62,007	\$ 18,346	\$ 60,000	High	N/A		N/A	Limon Masonry
Nursing and Allied Health Campus Subtotal												\$ 476,969	\$ 128,927	\$ 348,042	\$ 435,270					
Starr County Campus																				
17	Student Services Building G Renovation	SS					●					\$ 247,380	\$ 105,628	\$ 141,752	\$ 236,500	High	February 2021	Approval of Substantial Completion	Gignac Architects	Holchemont
18	Workforce Center Building D Welding Expansion	MV		●								\$ 230,820	\$ 820	\$ 230,000	\$ 230,000	Low	TBD	TBD	Gignac Architects	TBD
Starr County Campus Subtotal												\$ 478,200	\$ 106,449	\$ 371,752	\$ 466,500					
Regional Center for Public Safety Excellence																				
19	Shooting Range (Previously Target Range)	DV			●							\$ 296,092	\$ 14,780	\$ 281,312	\$ 291,972	High	February 2021	Approval of Schematic Design	PBK Architects	TBD
20	Canopy for Safety Training Vehicles	TBD	●									\$ 285,500	\$ -	\$ 285,500	\$ 285,500	Low	TBD	Approval for Solicitation of Architects	TBD	TBD
21	Canopy for Students/Instructors	TBD	●									\$ 247,000	\$ -	\$ 247,000	\$ 247,000	Low	TBD	Approval for Solicitation of Architects	TBD	TBD
22	Fire Training Area	TBD	●									\$ 443,600	\$ -	\$ 443,600	\$ 443,600	Low	TBD	Approval for Solicitation of Architects	TBD	TBD
23	Site Drainage Improvements	RG			●							\$ 380,885	\$ 24,630	\$ 356,255	\$ 356,255	High	April 2021	Approval of Construction Services	Perez Consulting Engineers	TBD
24	Chiller Installation	MV		●								\$ 170,000	\$ 40,375	\$ 129,625	\$ 170,000	High	January 2021	Approval of Engineering Services	TBD	TBD
25	Cityscape Remediation	RG					●					\$ 129,500	\$ 30,799	\$ 98,701	\$ 129,500	High	January 2021	Approval of Substantial Completion	Perez Consulting Engineers	Noble Texas Builders
Regional Center for Public Safety Excellence Subtotal												\$ 1,952,577	\$ 110,584	\$ 1,841,993	\$ 1,923,827					
Higher Education Center La Joya																				
26	Exterior Building and Wayfinding Signage (Wayfinding Signage Only)	DV									●	\$ 59,144	\$ 31,463	\$ 27,681	\$ 36,400	High	N/A		N/A	Innerface Architectural Signage/Cast Con
Higher Education Center La Joya Subtotal												\$ 59,144	\$ 31,463	\$ 27,681	\$ 36,400					

South Texas College  
Unexpended Plant Fund - Capital Improvement Projects (CIP)  
Project Status  
FY 2020 - 2021

#	Projects	FPC Project Managers	Not Started	Project Development	Design Phase	Bidding and Negotiations	Construction Phase	Substantial Completion	Final Completion	Move In	Completed	Total Project Budget	Amount Paid	Total Project Balance	FY2021 Budget	Priority Status	Upcoming Board Meeting Item	Architect/ Engineering Firm	Contractor	
District Wide																				
27	Land	N/A	N/A									\$ 3,000,000	\$ -	\$ 3,000,000	\$ 3,000,000	N/A	N/A		N/A	N/A
28	Renovation and Contingencies	N/A	N/A									\$ 659,296	\$ 4,428	\$ 654,868	\$ 659,296	N/A	N/A		N/A	TBD
29	Outdoor Furniture	TBD		●								\$ 25,000	\$ -	\$ 25,000	\$ 25,000	N/A	N/A		N/A	TBD
30	Facility Signage	MV			●							\$ 49,632	\$ -	\$ 49,632	\$ 49,632	N/A	N/A		N/A	Fast Signs
31	Removal of Existing Trees	TBD									●	\$ 24,687	\$ -	\$ 24,687	\$ 24,687	N/A	N/A		N/A	TBD
32	Automatic Doors Phase IV	RG			●							\$ 95,120	\$ -	\$ 95,120	\$ 95,120	Medium	N/A		TBD	TBD
33	Campus Master Plan	TBD	●									\$ 375,000	\$ -	\$ 375,000	\$ 375,000	N/A	N/A		TBD	N/A
34	Fence Enclosures	DV		●								\$ 36,000	\$ -	\$ 36,000	\$ 36,000	Low	N/A		N/A	TBD
District Wide Subtotal												\$ 4,264,735	\$ 4,428	\$ 4,260,307	\$ 4,264,735					
Totals		12	12	3	6	0	8	1	0	0	4	\$ 12,200,452	\$ 2,173,701	\$ 10,026,751	\$ 10,982,474					

South Texas College  
Renewal and Replacement Projects  
Project Status  
FY 2020 - 2021

#	Projects	FPC Project Manager	Not Started	Project Development	Design Phase	Bidding and Negotiations	Construction Phase	Substantial Completion	Final Completion	Move In	Completed	Total Project Budget	Amount Paid	Total Project Balance	FY2021 Budget	Priority Status	Upcoming Board Meeting Item	Architect/ Engineering Firm	Contractor	
Mid Valley Campus																				
1	Resurfacing Northwest Drive	SS						●				\$ 128,132	\$ 38,831	\$ 89,301	\$ 92,971	High	January 2021	Approval of Final Completion	PCE Consultants	McAllen Multi Services
2	Drainage Improvements Phase I	SS						●				\$ 459,202	\$ 366,880	\$ 92,322	\$ 302,919	High	January 2021	Approval of Final Completion	PCE Consultants	McAllen Multi Services
3	Roofing Replacement	MV			●							\$ 951,000	\$ 11,080	\$ 939,920	\$ 947,123	High	March 2021	Approval of Construction Services	Beam Professionals	TBD
Pecan Campus Subtotal												\$ 1,538,334	\$ 416,791	\$ 1,121,543	\$ 1,343,013					
Technology Campus																				
4	Advanced Technical Careers Building B Concrete Floor Repairs	DV									●	\$ 126,870	\$ 120,613	\$ 6,257	\$ 20,000	Completed	N/A		CLH Engineering	5 Star Construction
Technology Campus Subtotal												\$ 126,870	\$ 120,613	\$ 6,257	\$ 20,000					
Dr. Ramiro R. Casso Nursing & Allied Health Campus																				
5	NAH East Building A Westside Elevators Refurbishment	RC/O&M				●						\$ 159,000	\$ -	\$ 159,000	\$ 159,000	Medium	January 2021	Approval of Construction Services	N/A	Oracle Elevator
6	NAH East Building A Roofing Replacement	MV			●							\$ 166,077	\$ 3,046	\$ 163,031	\$ 165,108	High	March 2021	Approval of Construction Services	BEAM Professionals	TBD
7	NAH East Building A Data Cabling Infrastructure Replacement	RC/O&M									●	\$ 161,677	\$ 146,677	\$ 15,000	\$ 15,000	Low	TBD	TBD	N/A	TBD
8	NAH East Building A Exterior Stair Repairs and Replacement	RG		●								\$ 169,000	\$ -	\$ 169,000	\$ 169,000	High	January 2021	Approval of Engineering Services	TBD	TBD
Nursing and Allied Health Campus Subtotal												\$ 655,754	\$ 149,723	\$ 506,031	\$ 508,108					
Starr County Campus																				
9	Roofing Replacement	MV			●							\$ 832,323	\$ 14,679	\$ 817,644	\$ 824,569	High	March 2021	Approval of Construction Services	Beam Professionals	TBD
Starr County Campus Subtotal												\$ 832,323	\$ 14,679	\$ 817,644	\$ 824,569					



South Texas College  
Renewal and Replacement Projects  
Project Status  
FY 2020 - 2021

#	Projects	FPC Project Manager	Not Started	Project Development	Design Phase	Bidding and Negotiations	Construction Phase	Substantial Completion	Final Completion	Move In	Completed	Total Project Budget	Amount Paid	Total Project Balance	FY2021 Budget	Priority Status	Upcoming Board Meeting Item	Architect/ Engineering Firm	Contractor
District Wide																			
10	Irrigation System Controls Upgrade	RC/O&M				●						\$ 143,685	\$ -	\$ 143,685	\$ 71,200	Low	TBD	N/A	Aqua Tech
11	Fire Alarm Panel Replacement/Upgrade	RC/O&M				●						\$ 182,500	\$ -	\$ 182,500	\$ 182,500	Low	TBD	N/A	TBD
12	Interior LED Lighting Upgrade	RC/O&M				●						\$ 219,950	\$ -	\$ 219,950	\$ 110,000	Low	TBD	N/A	TBD
13	Ext. Walkway LED Lighting Upgrade Ph I	RC/O&M				●						\$ 49,000	\$ -	\$ 49,000	\$ 49,000	Low	TBD	N/A	TBD
14	Interior Controls Upgrade	RC/O&M				●						\$ 76,500	\$ -	\$ 76,500	\$ 76,500	Low	TBD	N/A	TBD
15	Floor Replacement	RG			●							\$ 532,042	\$ -	\$ 532,042	\$ 504,000	Medium	January 2021	Update on flooring conditions	TBD
16	HVAC Upgrades	MV/O&M				●						\$ 660,000	\$ -	\$ 660,000	\$ 660,000	Low	TBD	N/A	TBD
17	Exterior Lighting Upgrade	RC/O&M				●						\$ 279,000	\$ -	\$ 279,000	\$ 279,000	Low	TBD	N/A	TBD
18	Keyless Entry Access Upgrades	RC/O&M				●						\$ 39,626	\$ 8,702	\$ 30,924	\$ 25,000	Low	TBD	N/A	ADI
19	Renewals & Replacements	N/A	N/A									\$ 151,000	\$ 2,445	\$ 148,555	\$ 151,000	N/A	N/A	N/A	N/A
20	Water Tower Logo Replacments	RG		●								\$ 80,000	\$ -	\$ 80,000	\$ 80,000	N/A	TBD	N/A	TBD
District Wide Subtotal												\$ 2,413,303	\$ 11,147	\$ 2,402,156	\$ 2,188,200				
Totals		0	0	1	4	9	0	2	0	0	2	\$ 5,566,584	\$ 712,952	\$ 4,853,632	\$ 4,883,890				

## **Consideration and Approval of Checks and Financial Reports**

Board action is requested to approve the checks for release and the financial reports for the month of December 2020. The approval is for checks submitted for release in the amount greater than \$125,000.00 and checks in the amount greater than \$25,000.00 that were released as authorized by Board Policy No. 5610.

Mrs. Mary Elizondo, Vice President for Finance and Administrative Services, will provide a review of the Financial Report for the month of **December 2020**, and will respond to questions posed by the Board.

The checks and the financial reports submitted for approval are included in the Board packet under separate cover.

### **Recommendation:**

It is recommended that the Board of Trustees approve and authorize the submitted checks for release in an amount over \$125,000.00, the checks that were released as authorized by Board Policy #5610, and the financial reports submitted for the month of December 2020.

### **The following Minute Order is proposed for consideration by the Board of Trustees:**

The Board of Trustees of South Texas College approves and authorizes the submitted checks for release in an amount over \$125,000.00, the checks that were released as authorized by Board Policy #5610, and the financial reports submitted for the month of December 2020.

### **Approval Recommended:**

**Shirley A. Reed, M.B.A., Ed.D.**  
**President**

### **Consideration and Approval of Checks and Financial Reports**

The Checks and the Financial Reports presented for approval are included in the Board Packet under SEPARATE COVER:

- 1) Release of Checks for \$25,000.00 - \$125,000.00  
Released Prior to Board Approval for December 2020.
- 2) Release of Checks for \$125,000.00 and Above  
Board of Trustees Approval Required for December 2020.
- 3) Release of Checks for \$125,000.00 and Above  
Released Prior to Board Approval for December 2020.
- 4) Release of Construction Fund Checks for December 2020.
- 5) Quarterly Investment Report and Money Market Accounts for December 2020.
- 6) Summary of Revenues for December 2020.
- 7) Summary of State Appropriations Revenue for December 2020.
- 8) Summary of Property Tax Revenue for December 2020.
- 9) Summary of Expenditures by Classification for December 2020.
- 10) Summary of Expenditures by Function for December 2020.
- 11) Summary of Auxiliary Fund Revenues and Expenditures for December 2020.
- 12) Summary of Grant Revenues and Expenditures for December 2020.
- 13) Summary of Bid Solicitations.
- 14) Summary of Purchase Orders.

## **Announcements**

### **A. Next Meetings:**

- *Tuesday, February 9, 2021*
  - 3:30 p.m. – Education and Workforce Development Committee
  - 4:30 p.m. – Facilities Committee
  - 5:30 p.m. – Finance, Audit, and Human Resources Committee
- *Tuesday, February 23, 2021*
  - 5:30 p.m. – Regular Board Meeting

### **B. Other Announcements:**

- Wednesday, February 3, 2021 is the Spring 2021 Census Day
- The College will be closed on Friday, February 12, 2021 for College-Wide Organizational Development Day.
- The College will be closed Monday, March 15, 2021 – Sunday, March 21, 2021 for Spring Break.
- The College will be closed Thursday, April 1, 2021 – Sunday, April 4, 2021 for Semester Break.