

Minutes of Meeting of Board of Trustees
El Paso Independent School District
January 21, 2003
4:00 p.m.
Education Center-Boeing

Present: Mr. Dan Wever, President
Dr. Gene Finke, Vice President
Miss Leonor Garcia, Secretary
Mr. Sal Mena, Jr.
Dr. Charles Roark
Mr. Joe Rosales¹
Mr. Charles L. Tafoya, Superintendent
Mr. Anthony Safi, School District Attorney²

Absent: Mr. Richard Telles

The meeting was called to order at 4:14 p.m. The Pledge of Allegiance was led by Mr. Jack Johnston, Executive Director, Technology and Information Systems.

Award of Internal Connections for E-Rate Year 6 CSP #133-02 (Technical Support and Maintenance of the Network, Campus Structured Cabling Systems, Network Servers, and Network Electronics) (Item #1)

Mr. Jack Johnston, Executive Director, Technology and Information Systems, and Mr. Arnie Viramontes, Consultant with the Viramontes Group, provided information on the preparation of a competitive sealed proposal (CSP) to identify vendors for goods and services for the District's E-Rate Year 6 application. Mr. Johnston reviewed the evaluation of the proposals received from the seven vendors that responded to the CSP and the vendors being recommended for approval by the Board. He stated that the approved vendors would prepare the statements of work (SOWs) to be approved by the Board on February 4, 2003.

Arrival of Board Member

Mr. Rosales arrived at 4:28 p.m. and was present for any subsequent action by the Board of Trustees.

There was discussion on selecting local vendors; the scoring values for vendor selection suggested by the Schools and Libraries Division (SLD); the criteria for the selection of a vendor; the quotes for equipment being far in advance of installation; the application filing deadline of February 6, 2003; the process used to make changes after funding is received; and price being the SLD's primary scoring value.

¹ Mr. Rosales arrived at 4:28 p.m., during discussion on Item #1.

² Mr. Safi departed at 5:40 p.m., during discussion on Item #2.

It was moved by Mr. Mena, seconded by Miss Garcia, and carried unanimously that the Board award Internal Connections for E-Rate Year 6 CSP #133-02 (Technical Support and Maintenance of the Network, Campus Structured Cabling Systems, Network Servers, and Network Electronics) to the vendors and alternates as follows with the approved vendors preparing the Statements of Work (SOW) for the District's E-Rate application to the Schools and Libraries Division for Year 6 funding, which will be brought to the Board for approval on February 4, 2003: Technical Support and Maintenance of the Network to Diversified Technical Services, Inc., alternate proposal Miratek/Amherst Technologies, for technical support of the network, and Cisco Smartnet maintenance to Miratek/Amherst Technologies, alternate proposal Desert Communications, Inc., for maintenance of network electronics; Campus Structured Cabling Systems to Desert Communications, Inc., alternate proposal Miratek/Amherst Technologies; Network Servers to Diversified Technical Services, Inc., alternate proposal Dell Marketing, including software (Novel 6.0, Novell Upgrade, and Windows 2000 Server) to Software House International – Government Services, alternate proposal Miratek/Amherst Technologies, and installation services (Novel/W2K) to Miratek/Amherst Technologies, alternate proposal Diversified Technical Services, Inc.; and Network Electronics to Desert Communications, Inc., alternate proposal Miratek/Amherst Technologies.

Discussion Regarding Lease Revenue Bond Financing for Construction of Tippin Elementary School, Creation of Public Facilities Corporation, and Construction Procurement/Delivery Methods Including Construction Management at Risk (Item #2)

Mr. Tafoya commented on the questions raised at the January 14, 2003, Board meeting related to construction manager-at-risk and stated that the District's bond counsel and financial advisor would provide information on this construction methodology.

Mr. Paul Braden, Delgado Acosta Braden & Jones, PC, the District's bond counsel, provided general information on the public facility corporation (PFC), which is a nonmember, nonstock, and nonprofit corporation, and reviewed the incorporation procedure, governance, and PFC taxation issues. He also reviewed the issuance of lease revenue bonds; the use of lease revenue financing for new construction and additions to existing construction; a 60-day publication requirement for a lease purchase transaction; and the structure of the PFC. He reviewed the dissolution of a PFC and the summary time line for a PFC/Lease Revenue bond structure. Mr. Hector Zavaleta, First Southwest Company, the District's financial adviser, provided a comparison of PFC/lease revenue financing versus general obligation bonds.

There was discussion about all members of the EPISD Board of Trustees being appointed to the PFC and costs associated with lease revenue bonds; bond insurance; and surety bonds.

Responding to a question from Dr. Roark, Mr. Safi reviewed an Attorney General's Opinion related to the construction management-at-risk process.

Mr. Hector Martinez, Associate Superintendent, Operations, reviewed the various delivery methods by school districts for construction contracts exceeding \$25,000.00. He compared the traditional competitive bidding process to the construction manager-at-risk and reviewed the definitions, characteristics, pros and cons, and projects best suited for each delivery methodology.

There was discussion on the success of the competitive bidding process; contingency contract amounts; subtrade bids; performance bonds; fees for construction manager-at-risk; the comparability of construction costs under both methodologies—competitive bid and construction manager-at-risk; the advantages of the construction manager-at-risk delivery method; and services provided by EPISD staff.

Departure of School District Attorney

Mr. Safi departed the meeting at 5:40 p.m.

Mr. Bryan Morris, RBM Engineering, Inc., discussed the advantages of construction management-at-risk. Mr. Martinez requested that the Board consider the construction manager-at-risk methodology for future construction projects. He reviewed the timeframe for the construction manager-at-risk method for Tippin Elementary School and stated that it was questionable whether that methodology was currently a viable option.

Meeting Adjourned

The meeting was adjourned at 6:16 p.m.

Date Approved: April 22, 2003