

**AGENDA ITEM DETAILS**

**Subject:** Consideration of the Board's Authority Under Texas Government Code Section 2269.053 to Delegate Responsibility for Approving "Job Order" Construction Projects that Exceed \$500,000 – (Action)

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**RECOMMENDED ACTION:**

Move that the Board of Trustees delegate to the Executive Director responsibility for approving "job order" construction projects that exceed \$500,000 for the buildings located at 1836 San Jacinto Boulevard and 200 East 18<sup>th</sup> Street and further move that agency staff report back to the Board regarding approved job orders that exceed \$500,000.

**Background:**

After evaluating a variety of construction delivery methods for tenant improvement projects in the 1836 San Jacinto office building, as well as other periodic construction needs in the main ERS building, staff has determined that the most efficient delivery method would be to use something known as "job order contracting (JOC)."

Under the JOC method, ERS intends to contract with two pools of contractors (one pool for small projects and one pool for large projects) who then may be selected for individual jobs as the need arises. Staff is currently evaluating proposals received from entities responding to ERS's Request for Proposals for Job Order Contracting Services.

Job order contracting is governed by Chapter 2269 of the Texas Government Code. Under Section 2269.403(c), "[t]he governing body of a governmental entity shall approve each job, task, or purchase order that exceeds \$500,000."

In this agenda item, Staff recommends that the Board delegate to the Executive Director the authority to approve such jobs, tasks, or purchase orders. Delegation is explicitly permitted under Section 2269.053. The purpose of the recommendation is to allow the projects to move forward without unnecessary delay.

**ATTACHMENTS:**

1. Exhibit A - Delegate Responsibility on Construction Projects exceeding \$500,000
2. Slides – Board's Authority to Delegate Responsibility on Job Order Construction Projects