

MINUTES OF REGULAR MEETING  
EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT  
December 18, 2019

THE STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY   §

The Board of Directors of East Montgomery County Improvement District (the “District”) met in Session, open to the public, on the 18<sup>th</sup> day of December, 2019, at 11:00 a.m., at the East Montgomery County Improvement District Complex, 21575 U.S. Highway 59 North, EMCID Board Room 103, New Caney, Texas, within the boundaries of the District, and the following officers and members of the Board of Directors were present:

Brenda Webb	Chairperson
Stephen Carlisle	Secretary
Katherine Persson	Asst. Secretary
Fred Wetz	Treasurer/Investment Officer
Martin Zepeda	Asst. Treasurer
Leonard Rogers	Director
Richard Tramm	Director

with all of said persons being present, except Directors Carlisle, Zepeda and Tramm, thus constituting a quorum.

Also present were Mr. Frank McCrady, Mr. David Marks and Mr. Greg Phipps.

Chair Webb called the meeting to order and announced that a quorum was present. The Board then recessed and reconvened at 11:05 a.m. in the EMCID Conference Room, Room 200A.

As the first order of business, the Board considered a report on the Economic Development Administration (“EDA”) Business Center Building in the Industrial Park. Mr. McCrady stated that the Request of Qualifications (“RFQ”) was published and that J.A. Costanza & Associates received five (5) statements. Mr. Phipps then reviewed the 100 point system of evaluation. Mr. McCrady stated that Mr. Phipps will review the proposals and make a recommendation to the Board under 1.c) on the agenda. Mr. Phipps then reviewed the five (5) statements, including:

- 1) AmTex Solutions – A roof inspection company located in Dallas, Texas. He stated the company scored 44 points on the 100 point system of evaluation and noted they failed to follow the form of the RFQ.

**East Montgomery County Improvement District meeting of December 18, 2019**

- 2) Joiner – A local architect firm located in Kingwood, Texas. He stated that the company scored 85 points on the 100 point system of evaluation, but noted it is not registered with SAM.gov so unless they are able to register the the EDA permits the after deadline registration, the company is disqualified. He noted that if the EDA allows Joiner to register, total points would be 87.
- 3) Powers Brown Architecture (PBA) – A highly qualified firm located in Houston, Texas. He stated that the company scored 82 points on the 100 point system of evaluation.
- 4) Goodwin Lasiter Strong (GLS) - A full service firm located in Lufkin, Texas. He stated that the company scored 84 points on the 100 point system of evaluation, but did not provide a certificate regarding Lobbying or a construction schedule.
- 5) Burditt – A firm located in Conroe, Texas. He stated that the company scored 87 points on the 100 point system of evaluation, but noted its construction schedule of 10-11 months is not realistic given the scope of project.

Mr. Phipps recommended requesting Burditt provide a detailed proposal including a timetable for design and construction, a cost estimate and fees of the firm. He stated if Joiner can get SAM qualified, then each company can make a presentation to determine which one to start negotiations with.

The Board next considered authorizing a Request for Proposal (RFP) for Architectural/Engineering Services, including negotiations and a contract with the best qualified candidates from the RFQ process. After discussion, Director Wetz moved to authorize Mr. McCrady to request an RFP from Joiner, provided they can get registered in SAM.gov and EDA approval by 5:00 p.m. on January 3, 2020, and if not to request and RFP from Burditt. Director Rogers seconded the motion, which unanimously carried.

The Board next deferred the following: a) approval of contract with J.A. Costanza & Associates Engineering, Inc. relative to program management and/or engineering services related to the project; d) authorizing Agreement for Architectural/Engineering Services and preparation of plans, specifications and construction documents; e) approval of plans, specifications and construction documents and authorize Project Bidding Phase; f) review of bids, consider architect's/engineer's recommendations, and consider award of project for construction; g) review pay applications, change orders and construction recommendations and consider approval of same; h) consider final project documents, accept architect's and engineer's certification of completion, and accept project; and i) other items that may arise from time to time.

**East Montgomery County Improvement District meeting of December 18, 2019**

The Board next recessed to Executive Session at 12:08 p.m. to discuss real property matters pursuant to §551.072, Texas Government Code, pending or contemplated litigation pursuant to §551.071, Texas Government Code, matters in which the duty of the attorney to the District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 551, Texas Government Code, pursuant to §551.071, Texas Government Code, personnel matters pursuant to §551.074, Texas Government Code and Economic Development negotiations pursuant to §551.087, Texas Government. The Board returned from Executive Session at 12:58 p.m.

The Board next deferred the approval of an Incentive Agreement with MHTB Enterprises LLC dba Smallcakes Kingwood.

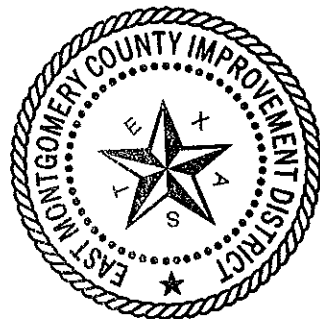
The Board next considered a report on the activities within the Industrial Park.

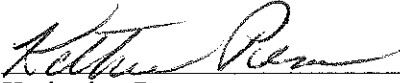
The Board next deferred the approval of a Purchase and Sale Agreement with Sigma Fasteners or its assigns, relative to the purchase of a site in the Industrial Park.

The Board next considered matters for possible placement on future agendas.

There being no further business to come before the Board of Directors, the meeting was adjourned.

(SEAL)



  
Katherine Persson  
Asst. Secretary, Board of Directors