



# WESLACO INDEPENDENT SCHOOL DISTRICT

319 W. Fourth Street  
Weslaco, TX 78599-0266

**W**inners. **I**nnovators. **S**cholars. **D**oers.

*Dr. Priscilla Canales, Superintendent*

## BOARD OF TRUSTEES

Meeting:  
Place:  
Location:  
Date:  
Time:

Special Meeting  
WISD Board Room  
319 W. Fourth Street  
March 27, 2019  
5:53 P.M.

## MINUTES

- I. The meeting was called to order by Isidoro Nieto, Board President
- II. A quorum was established. The following board members were present:

Isidoro Nieto, President  
Armando Cuellar, Trustee  
Patrick Kennedy, Trustee  
Erasmio Lopez, Trustee  
Dr. Jaime Rodriguez, Trustee

*Dr. Richard Rivera and Andrew Gonzalez were absent.*

- III. Discussion and Possible Action for the Board to Consider Approval of Change Order No. 1 to the Contract for the Athletic Facility Renovations Project at Weslaco High School and Weslaco East High School for Additional Work Needed at the Weslaco East High School Site and Corresponding Additional Contract Days

On March 9, 2017, the Board approved PBK Architects from McAllen/San Antonio, Tx., to design the specifications for the Athletic Facility Renovations Project at Weslaco High School and Weslaco East High School.

The administration and PBK had several meetings to discuss this change order and both have recommended that the Board approve Option 2 to Change Order No. 1 for the Athletic Facility Renovation Project at WHS and WEHS for additional work needed at the Weslaco East High School site and corresponding additional contract days.

**Option 2:** WISD, PBK & Rigney met on Wednesday, March 27, 2019 at 4:00 pm before the special meeting, to discuss a different unofficial counter offer as follows: 48 additional days to complete WEHS (substantial completion for WEHS on April 30, 2019), and 90 additional days, from the first day of work at the WHS site, to complete the WHS renovations. Rigney Construction can start work

at WHS on Monday, April 15, 2019; therefore, the substantial completion date for WHS would be on July 14, 2019.

The original date of completion for both projects was March 13, 2019.

Questions from the Board:

- ›Mr. Lopez asked if the project at Weslaco High School had been delayed by the contractor or by the district.
  - According to Athletic Director Oscar Riojas, the district has not given them the green light, as the work is contingent on staff relocating the kids to the football field house.
  
- ›Is 90 days enough time for them to complete the project?
  - Yes, work will begin April 15, 2019 for a total of 90 additional days.
  - Staff expects to have occupancy at the field house by this date.
  - Staff has a plan in place to relocate the other programs that are not part of the football program in an effort to vacate the field house.
  
- ›Mr. Lopez asked for clarification on why this item required approval at a special meeting.
  - Mr. David Iglesias from PBK replied that there have been some additional items, unforeseen items, and additional scope of work that staff has requested. The contractor has proceeded with some of the items on their accord; however, they want to make sure that they can proceed with the work officially as per the contract document.
  - According to Mr. Iglesias, Option 2 will help protect the District by offering reassurance that Weslaco East High School will be completed by April 30, 2019.
  
- ›Did the school attorney reviewed the information presented?
  - The school attorney will monitor the change order for liquidated damages (days) for each project at each campus, prior to sending it over to the contractor.
- ›Did the contractor agree to the terms on the dates to complete the projects?
  - Mr. Iglesias has discussed the terms with the contractor as follows:
    - >WEHS – 48 days to complete
    - >WHS – 90 days to complete after they begin the work (# of days as per contractor bid)

Mr. Lopez clarified to the public that the reason for having a special meeting to approve this item was to allow the contractor to proceed with the work and not delay the project any further.

Dr. Jaime Rodriguez asked if staff was happy with the work performed. Mr. Oscar Riojas replied that he and Coach Burget walked the building at Weslaco East High School in the morning and they are very pleased with the work performed by Rigney Construction. The lockers are in, doors are getting installed, tile work has begun, and the millwork is expected to come in soon.

Mr. Andres Sanchez informed the Board that the additional work addressed in the change order is going to be paid from the allowance in the contract, therefore there would be no additional cost except for the extension of days. The contract approved by the Board has an option authorizing the superintendent to approve change orders where the cost is within the amount of the owner's contingency, which is \$30,000 or the extension of days is no more than 10 days. Mr. Sanchez asked the Board if they preferred staff bring changes to the Board for approval in the event unexpected things come up, or could the Superintendent approve the change orders based on the terms included in the contract to avoid further delays to the project. Mr. Sanchez clarified that there will not be any liquidated damages assessed if the WEHS project is completed by April 30, 2019, and the WHS project is completed within the 90 days the work has begun.

Mr. Lopez replied that he did not have any problems with the superintendent approving, as long as everything is in line with the modifications, rules and regulations, and legal counsel is involved with the final decision-making. Thus, the superintendent could also update the Board via the weekly report.

School Attorney Ivan Perez clarified that the contract was drawn to allow for efficiency; however, the reason staff brought the change order for approval was due to a board member addressing the process of approving change orders, and therefore staff wanted direction from the Board.

Erasmus Lopez made the motion to approve Option 2 to Change Order No. 1 for the Athletic Facility Renovation Project at WHS and WEHS for additional work needed at the Weslaco East High School site and corresponding additional contract days as recommended by the administration. Dr. Jaime Rodriguez seconded the motion and it passed unanimously.

#### IV. Adjournment

The meeting adjourned at 6:05 p.m.