



DEKALB COUNTY PUBLIC BUILDING COMMISSION

**A MUNICIPAL CORPORATION AND BODY POLITIC ORGANIZED PURSUANT TO THE "PUBLIC BUILDING COMMISSION ACT." ILLINOIS REVISED STATUTES 1977 CHAPTER 85, SECTIONS 1031 THROUGH 1054
CHAPTER 85, SECTIONS 1031 THROUGH 1054
AND CURRENTLY UNDER ILLINOIS COMPILED STATUTES 50 ILCS 20/1 et seq.**

MEETING OF TUESDAY, JUNE 19, 2012

A special meeting of the Board of Commissioners of the DeKalb County Public Building Commission (hereinafter "Commission") was held Tuesday, June 19, 2012, at 8:30 A.M. in Conference Room West of the DeKalb County Community Outreach Building pursuant to written notice to each Commissioner as required by the By-Laws.

ROLL CALL

The meeting was called to order by Chairman Matt Swanson at 8:30 a.m. Commissioners present were Chairman Matt Swanson, Mr. Larry Lundgren, Mr. Mike Larson and Mr. Chuck Shepard. Mr. George Daugherty was absent. Also present were Mr. John Farrell, Assistant States Attorney, Mr. Gary Hanson, Treasurer, Mr. Matt Bickel of Wold Architects, Mr. Jim Scheffers, Facilities Manager, Mr. Gary Daub, President of Rockford Structures and Ms. Mary Simons, Secretary.

SECRETARY'S NOTE:

Mr. Larson was called out of the meeting for a family emergency at 8:35 A.M..

APPROVAL OF MINUTES:

Chairman Swanson called for a motion to approve the minutes for the last meeting held on Wednesday, May 9, 2012. A motion was made by Mr. Shepard to approve the minutes as presented. Mr. Lundgren seconded the motion. The motion carried unanimously.

APPROVAL OF AGENDA;

Mr. Lundgren made a motion to approve the agenda as presented. Mr. Shepard seconded the motion. The motion was unanimously approved.

MR. GARY DAUB ADDRESSES THE COMMISSION:

Prior to Mr. Daub's remarks, Mr. John Farrell made a brief statement. Mr. Farrell stated that he, and Mr. Matt Bickel met with Mr. Daub last week pursuant to our previous discussions. He added that it was a productive meeting in terms of everyone laying out their concerns. He added that at the conclusion of that meeting he invited Mr. Daub to appear before the Commission to explain his views of how he perceives the issue of the masonry cracks and that there is a clear understanding of what should be done.

Mr. Gary Daub, President of Rockford Structures presented a very lengthy and detailed description of his position regarding the cracking issues in the cast stone and concrete block occurring at the Community Outreach Building. Quoting from the Wiss Janey report and portions of the concrete and brick specifications provided by Wold Architects and Engineers, Mr. Daub outlined in minute detail his objections to the findings in the report. His position is that Rockford Structures is not responsible for the cracking issues. He based his opinion on the Architect's specifications provided during the bidding phase of the project and the manufacturer's insert provided at the time of delivery of the materials. He also objected to the finding in the Wiss Janey report that several masonry expansion joints were not installed. He stated that they were not installed due to an agreement on site, at the time, with a representative from Wold Architects. Mr. Daub stated that he is, at this time, unable to produce documentation to this agreement. Mr. Daub concluded his remarks by emphasizing that "this building was built per the documents, per the drawings, per the specifications, reviewed on a weekly basis by Wold throughout this project" He added that this problem is the responsibility of World because it is their design and the material used was to their specifications.

Mr. Bickel and some of the Commissioners questioned Mr. Daub regarding several comments he made during his presentation. Mr. Bickel questioned Mr. Daub about the number of expansion joints that were installed during the construction and asked if they were installed as per the number called for in the specs. Mr. Daub responded that the building was reviewed weekly on site by Wold and the building was built in agreement with Wold. Mr. Daub added that after the building project was completed Wold brought up these issues. He stated that it is his opinion that the building was constructed as drawn, designed, reviewed and inspected and the current problems are Wold's.

Mr. Farrell asked Mr. Daub to comment on the manufacturer's instructions that were included with their product that he and Mr. Daub had discussed at a previous meeting.

Mr. Daub responded by saying that Wold is now suggesting that Rockford Structures should have changed their design based on one paragraph of the manufacturer's product data and this is unacceptable. Mr. Daub insisted that this design and review was theirs, the project was built as instructed per the mock-up, per the submittals.

Mr. Hanson asked if Mr. Daub is suggesting that it was changed in the field by Rockford Structures and Wold together and not documented.

Mr. Daub responded affirmatively, adding that there is nothing on this project that is hidden. It took quite a while to put up this masonry and there was a lot of review during the course of this construction. He said that "we put it up the way we were instructed, the way it was drawn and the way the specification called for. There's not slip planes in the concrete block. It wasn't part of the design."

For clarification purposes and as previously discussed by them, Mr. Farrell asked Mr. Daub if he is represented by counsel for purposes of this issue or has retained counsel to represent him. Mr. Daub responded that he had not.

The Commissioner's thanked Mr. Daub for attending the meeting today and presenting his position on this issue. Mr. Daub left the meeting at 9:02 A.M.

DISCUSSION:

A brief discussion was held regarding an executive session. It was decided to hear the response to Mr. Daub's presentation by Mr. Matt Bickel of Wold Architect's prior to the executive session.

MR. BICKE'S RESPONSE:

Mr. Bickel began his response by stating that he strongly disagrees with a large majority of Mr. Daub's assertions. Regarding the meeting Mr. Bickel and Mr. Farrell had with Mr. Daub, Mr. Bickel described Mr. Daub as coming to the meeting as not really expecting or prepared to talk about the situation. He did not have any documents with him, therefore we presented the issues that were discussed at the last PBC meeting. We felt the lack of horizontal joint reinforcing was a significant contributor to the cracking of the cast stone concrete masonry. Mr. Bickel said that they feel very strongly that the horizontal bed joint reinforcing that is recommended by the manufacturer is a key component which was not installed. He added that the purpose of that, as believed by the manufacturer, is there is a tendency for their product to shrink and the bed joint reinforcing goes in to counteract the shrinkage. Mr. Bickel added that Mr. Daub took exception to this being brought up at this point because of an obscure reference in a manufacturer's installation instructions, but Mr. Bickel countered that he thought the documents were pretty clear and that it is the contractor's responsibility to review all product information provided. Mr. Bickel stated that Mr. Daub said he felt as though he was being targeted in this situation because it was just now being brought to his attention. Mr. Bickel said his reply to him is this issue has been on the table for two-plus years, and numerous letters have been sent inviting him to attend many meetings to try to work together with the PBC, the designers, and the builders to identify and solve the problem. Mr. Bickel said that even though Mr. Daub indicates he feels the victim in this, every effort has been made to include him in the process to solve the problem.

At this point Mr. Bickel asked permission to use the dry erase board to illustrate some specific detail that explains the wall construction which may bring some clarity to the items that Mr. Daub was pointing out as being part of the design and specifications. Mr. Bickel stated that there is a great deal of information given to the contractor prior to the start of a construction project including contracts, drawings and specifications. He explained that the copy of the specifications used by Mr. Daub today were part of the original bid documents, however, there were subsequent addendums issued that did make some slight modification. Mr. Bickel said that he has provided a copy to Mr. Farrell containing those addendum, however it does not gravely change any of the information that Mr. Daub presented. Mr. Bickel said the addendum were incorporated into the original contract during the bidding phase.

Mr. Bickel drew the wall detail in both the elevation and in sections to illustrate his points on the actual construction and the creation of a slip plane. He also described the corresponding written documents. The Commissioners asked several questions during this phase of Mr. Bickel's drawing and explanation of the construction. Mr. Bickel explained that the structural wall is built as it should be, the veneer is built with the horizontal ties holding the veneer back. What it is not built with is the horizontal bed joint reinforcing, which is a specific recommended installation item from the block manufacturer of the cast stone. Mr. Bickel stated that there should have been a wire course in every bed joint for the first five courses or however high the cast stone goes. He said that's what the horizontal bed joint reinforcing is as identified by Wiss Janey as not being installed as was the recommendation by the cast stone manufacturer to create a continuous bed joint reinforcing and is not in our specifications.

The Commissioners questioned Mr. Bickel about the lack of oversight and asked why some of these issues were not observed by the Architect during the time of construction. Mr. Bickel responded "Quite honestly, when they provided us with the manufacturer's product data during the submittal phase, we didn't catch on to the fact that the manufacturer was recommending the horizontal bed joint reinforcement. In response to their questioning regarding daily oversight, he responded that they did have someone on site on a weekly basis.

Mr. Bickel said the second issue detailed in the drawings are the vertical expansion joints in the exterior masonry. Mr Bickel returned to the dry erase board to detail this issue. He explained that the drawings call for one expansion joint on either side of every opening and there was only one vertical expansion joint at every opening and explained in detail the reasons they should have been installed. Mr. Bickel said that Mr. Daub suggested today that it was somehow agreed upon that they were not required to put all of them in. Mr. Bickel said he does not have a recollection of telling them not to put them in and there is no documentation from his staff that confirms this, and it was not noticed at the time. The Commissioners expressed their concern that this had gone unnoticed by the Architect.

Mr. Bickel concluded by saying that Mr. Daub's assertion that everything went in per plans and specs is not entirely inaccurate. They did provide the horizontal reinforcing that was called out as part of our instructions to them. He added that Wold feels the horizontal bed joint reinforcing, which wasn't specified, but was covered as part of the manufacturer's installation recommendations, would be contractor responsibility. He stated that at some point it will be incumbent on Wold or Rockford Structures to sort out whose responsibility it is. He added that there are sections of the contract documents provided to Mr. Farrell that enumerate why it is the contractor's responsibility to review that information.

Mr. Lundgren made a motion to move to an Executive Session at this time to discuss matters of potential litigation. Mr. Shepard seconded the motion. The motion carried unanimously. The time was 9:36 A.M. Mr. Bickel left the meeting prior to the Executive Session.

EXECUTIVE SESSION

REGULAR SESSION:

The regular meeting of the Public Building Commission reconvened at 10:00 A.M.

Chairman Swanson announced that no final action was taken regarding potential litigation during the Executive Session.

AUDIT REPORTS:

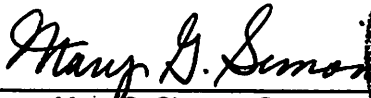
The Secretary distributed copies of the 2011 Audit Reports and announced that this report is also available online. Mr. Hanson said that distributing the reports now will give the Commissioners time to review the report and if they have any questions he will be happy to respond at the next meeting.

NEXT MEETING:

The next PBC meeting is scheduled for August 7, 2012, to be held at the Community Outreach Building.

ADJOURNMENT:

Mr. Shepard made a motion to adjourn. Mr. Lundgren seconded the motion. Motion carried unanimously. Meeting adjourned at 10:05 A.M.


Mary G. Simons, Secretary




Matt Swanson, Chairman

<u>Commissioner</u>	<u>Expiration of Term</u>	<u>Office</u>	<u>Original Appointment</u>
Mr. Matt Swanson	September 30, 2012	Chairman	September 19, 2007
Mr. Larry Lundgren	September 30, 2014	Vice Chairman	April 2, 2010
Mr. George Daugherty	September 30, 2013		September 30, 2008
Mr. Mike Larson	September 30, 2015		November 17, 2010
Mr. Charles Shepard	September 30, 2016		October 1, 2011
<u>Non Voting-Commissioner:</u>			
Ms. Mary G. Simons	September 30, 2012	Secretary	March 7, 2000
Mr. Gary H. Hanson	September 30, 2012	Treasurer	February 18, 1984