



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, SECTION 1031 THROUGH SECTION 1054 AND CURRENTLY UNDER ILLINOIS COMPILED STATUTES 50 ILCS 20/1 et seq.

MEETING OF TUESDAY, NOVEMBER 10, 2020

Due to COVID-19, this Meeting was held as a Virtual Public Meeting

The Board of Commissioners of the DeKalb County Public Building Commission (hereinafter "Commission") met virtually in regular session through a cloud-based, peer-to-peer software platform called Zoom on Tuesday, November 10, 2020, at 8:30 a.m. pursuant to written notice to each Commissioner as required by the By-Laws.

ROLL CALL

Chairman Swanson called the meeting to order at 8:30 a.m. and requested the Secretary to call the roll. Those Commissioners virtually present were Vice-Chairman Larry Lundgren, Ms. Cheryl Nicholson, and Chairman Matt Swanson. Mr. Mike Larson and Mr. Chuck Shepard were absent. A quorum was established with three Commissioners virtually present and two absent at the time of roll call.

Others present via Zoom included: Commission Treasurer Gary Hanson, Mr. John Heimbach with Larson & Darby Group, Ms. Megan Simon with Ringland-Johnson Construction, County Facilities Management Office Director Jim Scheffers, Rehab & Nursing Center Maintenance Supervisor Steve O'Bryan, Vice President of Management Performance Associates Scott Gima, , DCRNC Operating Board Chairman and County Board Member Jeff Whelan, County Board Member Steve Faivre, County Finance Director Pete Stefan, and Commission Secretary Tasha Sims.

APPROVAL OF AGENDA

Ms. Nicholson moved to approve the agenda as presented and Vice-Chair Lundgren seconded the motion. Those Commissioners voting yea were Vice-Chair Lundgren, Ms. Nicholson, and Chairman Swanson. The motion carried unanimously by roll call vote.

APPROVAL OF MINUTES

Ms. Nicholson moved to approve the minutes of the Tuesday, October 6, 2020 meeting. Vice-Chair Lundgren seconded the motion. Those Commissioners voting yea were Vice-Chair Lundgren, Ms. Nicholson, and Chairman Swanson. The motion carried unanimously by roll call vote.

PUBLIC COMMENTS

There were no public comments.

NURSING HOME EXPANSION PROJECT

Project Update

Ms. Megan Simon, Project Manager from Ringland-Johnson Construction, shared that RJC has only been on site for punch list items and/or items that have been delayed due to shipping (because of COVID). There is a list of roughly 20 items between the Activity Center and the Transition Care Unit Addition (TCU) that still remain open. RJC has put associated budgets to those specific line items and carried a 150% markup on them to show what the value is of those items.

One large item that remains an issue is flooring in the TCU. A claim was put in that the floor was curling up along the edges and there were some obvious quality issues that RJC did not accept. The flooring manufacturer's representative came out to the site and they claimed the issues were due to poor workmanship

and materials. Those corrections are currently being tracked and the issues will be resolved as soon as the correct adhesives come in.

Another large item that has recently come up is aesthetic cracking in the drywall within the TCU. A couple weeks ago after a substantial wind storm, the Project Superintendent walked into the building and noticed large horizontal and vertical cracks in the drywall and screws popping out that they had not previously seen before. RJC called a meeting with the subcontractor that performed that bid scope as well as the project team. They have been having ongoing meetings and RJC has been documenting where all of the aesthetic cracks are located. All they know as of right now is that there is some type of movement and they are trying to figure out where the problem lies. All of the areas that can be visually inspect have been noted on a drawing and RJC will continue to monitor those areas until a solution comes up. Ms. Simon expressed that as of right now it did not seem like the structural integrity of the building is in jeopardy at all, there is just cracking taking place.

Mr. Heimbach noted that he was reviewing drawings to ensure the design of the building has the appropriate amount of resistance for wind uplift in the roof system.

Vice-Chair Lundgren questioned who would be responsible for all of the added costs associated with this large type of issue. Ms. Simon stated the responsibility lies with the subcontractor that performed that scope of work and as long as the design was met, the contractor is responsible for performing that scope of work and meeting the overall contract documents.

Mr. Gima shared with the Commission that he is also in search of a third-party independent structural engineer to review this situation. MPA has multiple calls out right now to find anyone who could possibly provide any assistance or hopefully someone who has actually seen this issue before and that can provide answers to what the cause and solution could be. Mr. Gima noted that he would provide Flash Updates to the Commissioners as they get more information about this issue to keep them informed with the progress.

Ms. Simon reiterated that those are the two major issues they are working on along with the punch list items that they're tracking and providing updates on. RJC is presenting numerous change orders this month that are credits back to the project, specifically for any outstanding work within the interiors such as the 480 Wing and the Nurse Stations. In addition to credits to the Schedule Contingency from Sunbelt for equipment insurance.

Change Order Requests

The Commissioners were provided with the updated Change Order Proposal Log. Items in white are ongoing issues that are under review, the gray are items that have been previously discussed and approved, and items up for discussion currently are yellow.

The Commissioners were requested to approve the following Potential Change Order (PCO) requests:

PCO #79: PCO #45 addressed the removal and reinstallation of the existing plumbing fixtures to allow new finishes in the 13 resident toilet rooms in the South Wing of Building B on a Time and Material Basis (T&M) with a projected amount of \$3,480.00. Six of the rooms have been completed including the purchase of accessories as needed. The labor to date on these fixtures is a total of 23 hours which is more than originally accounted for due to difficulty with corroded fittings. The remaining seven rooms have been delayed indefinitely. This proposal represents a credit of (\$406.00) for the work that has not been completed.
(Item #89)

PCO #85 The original bid documents included new ceilings to be installed in the existing dining rooms where other new finishes were to be upgraded. The condition of the existing ceilings was acceptable and the costs associated with this work is being credited back to the project. This credit includes both labor (\$2,787.60) and materials (ceiling panels = \$3,211.98) for the three existing dining rooms for a total credit of (\$6,000.00).
(Item #103)

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PCO #114
(Item #145) The fence and gates that were planned for the Mechanical Yard are on hold in order to include modifications to the fencing for the oxygen equipment and access to that equipment. This fencing and gates as proposed are being removed from the project at this time in order to close out the overall project. The costs associated with this work are being credited back to the project in the amount of (\$10,736.41).

PCO #115
(Item #142) Each of the hand sinks in the resident rooms and corridor of the TCU Addition were specified with pipe shields that match the specified sinks. The owner requested to change these to a conventional insulated pipe guard. This change results in a cost reduction and a credit back to the project of (\$1,080.00).

PCO #117:
(Item #121) Prior to the installation of the fire lane along the east side of the TCU Addition, the owner requested modifications to the layout of the fire lane and to the curb and walkway where the fire lane meets the circle entrance drive. This layout had been reviewed and approved with the owner, the Building Department, Zoning, and the Fire Department during design and final zoning approvals. The changes described herein provide a gentler curve to the paved lane as it passes the TCU Addition, thereby simplifying maintenance through the winter. Additionally, the lane is widened from 8' to 10' which matches the width of the lane where it intersects the existing lane at its north end. In addition to the 2' increased width, the contractor has added a shoulder to both sides of this lane. This is a feature that was not included on the original civil layout. The sidewalk and curb replacement were extended from its original layout eastward to provide better drainage and minimize ponding along the sidewalk. This work has been completed and came to a total cost of \$26,538.71.

PCO #118:
(Item #143) Due to circumstances caused by COVID-19, the remaining interior work within the resident spaces of the Nursing Home are on hold indefinitely. The PCO backup materials provides a breakdown of the remaining spaces and associated tasks and pricing from each trade for this remaining work. This proposal provides a credit back to the project for this work in the amount of (\$93,381.27).

Vice-Chair Lundgren clarified that this isn't really a credit because it will cost money to fully complete the project down the road.

PCO #120
(Item #146) The costs for insurance for this air conditioning and dehumidification equipment have been included in the previously monthly invoices. The contractor has a separate insurance coverage for this equipment and the additional charge for insurance from the equipment supplier is unnecessary. This proposal is intended to credit back those charges in the total amount of (\$4,506.48).

UPCOMING CHANGE ORDERS

Mr. Heimbach presented the following item:

PCO #119
(Item #134) This proposal includes modifications to the door hardware at Door 101.1 as well as modifications of the alarm connections. The door hardware as supplied to the site did not include provisions to operate the door from the outside at night. Additional information regarding the specifics of the work have not been provided for review but the work has been completed for a total cost of \$5,051.57.

Change Order Requests, Continued...

General Requirements:

PCO #98:
(Item #124) Additional General Requirements for July and August: Due to several issues that have occurred through the course of this project, the project has been delayed from its original schedule, and the Construction Manager is requesting additional funds related to general

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requirements. They are requesting additional funds as related to expenses incurred during the months of July and August. The issues related to this request include early project delays relating to Zoning reviews, changes in project phasing, delays related to interpretations of regional plumbing inspector, delays related to COVID interruptions, and kitchen equipment manufacturing and delivery issues.

These costs for July and August have already occurred and total \$81,923.54. The costs are requested to come out of the Schedule Contingency.

PCO #112: Additional General Requirements for September: Due to delays in the project as described previously in PCO #98, the Construction Manager is requesting additional funds related to general requirements. The costs for September have already occurred and total \$48,280.26. The costs are requested to come out of the Schedule Contingency.
(Item #141)

PCO #116: Additional General Requirements for October: Due to delays in the project, the Construction Manager is requesting additional funds related to general requirements. The costs for October have already occurred and total \$32,191.78. The costs are requested to come out of the Schedule Contingency.
(Item #147)

Ms. Nicholson explained that RJC's Guaranteed Maximum Price Amendment that was executed in November of 2018 said project completion was 18 months from issuance of a complete permit. The cover letter for that document said they assumed that the zoning amendment process and an issue of a full permit would be the end of February, 2019, with new building addition construction beginning March 1st. Ms. Nicholson noted that 18 months from March 1, 2019, would mean substantial completion was the end of August, 2020. Then, when RJC presented PCO #98, as part of their supporting document, they said the City of DeKalb gave the OK to proceed in site preparation and work in advance of issuance of a full building permit on March 12, 2019. This would put substantial completion at the middle of September. Ms. Nicholson mentioned that she understands there have been delays but looking through the timeline she did not understand why they were being requested to reimburse any GR's for July.

Ms. Simon reiterated the many issues that have come up during this project. She also added that as of how the contract is written, general requirements are a reimbursable cost and they are still within the GMP. Ms. Nicholson pointed out that just because the contract allows for it, does mean they have to do it. Ms. Simon expressed that she understands that but the reimbursements are necessary to cover the additional coordination efforts RJC has had to work through multiple issues this project has faced.

Mr. Shepard thought that July and August should not have general requirements because they are part of the original work regardless of the obstacles that have been faced with over the past few months. Vice-Chair Lundgren echoed the other Commissioner's comments.

Mr. Shepard added that they really need to figure out how to stop this project completely in order to stop these costs from adding up. Mr. Hanson agreed and noted that he has asked multiple times what it is going to take to stop this project and to stop the costs. He also didn't think they should continue to be asked to pay any GR's for November.

Ms. Nicholson moved to approve PCO #79 = (\$406.00), PCO #85 = (\$6,000.00), PCO #114 = (\$10,736.41), PCO #115 = (\$1,080.00), PCO #117 = \$26,538.71, PCO #118 = (\$93,381.27), PCO #120 = (\$4,506.48), and PCO #119 = \$5,051.57. Mr. Shepard seconded the motion. Those Commissioners voting yea were Vice-Chair Lundgren, Ms. Nicholson, Mr. Shepard, and Chairman Swanson. The motion carried unanimously by roll call vote.

Ms. Nicholson moved to approve PCO #112 = \$48,270.26 and PCO #116 = \$32,191.78 for a total of \$80,472.04 for September and October Additional General Requirements. Mr. Shepard seconded the motion. Those Commissioners voting yea were Ms. Nicholson, Mr. Shepard, and Chairman Swanson. Vice-Chair Lundgren was opposed. The motion carried by roll call vote.

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REQUEST FROM RINGLAND-JOHNSON TO REDUCE AMOUNT OF RETAINAGE

Ringland-Johnson formally requested a reduction in retention on project, 217-139 Additions and Renovations for DeKalb County Nursing Center.

The current retention percentage held on the project is five (5) percent. RJC requested that the retention be dropped to zero (0), but RJC will withhold all punch list item work identified on the attached document to the request at 150%. Typically, industry standard for work remaining is the value of punch list item(s) to be complete shall be withheld at 150% the estimated cost to complete. Additionally, due to current circumstances, RJC has withheld the credit amount for PCO #118 Credit for Remaining Work with each subcontractor and that PCO was just approved.

The Commission discussed the request briefly and many had concerns with the cracks in the walls and with there still be some uncertainties with the punch list items.

Mr. Hanson suggested putting this item off until next meeting. The Commissioners agreed.

APPROVAL OF 2021 MEETING SCHEDULE

Secretary Sims explained that as per Illinois Open Meetings Act, the Commission is required to create and make available to the public a schedule of their regular meetings by the beginning of the New Year.

Mr. Shepard moved to approve the DeKalb County Public Building Commission's 2021 Regular Meeting Schedule. Ms. Nicholson seconded the motion. Those Commissioners voting yea were Vice-Chair Lundgren, Ms. Nicholson, Mr. Shepard, and Chairman Swanson. The motion carried unanimously by roll call vote.

OLD BUSINESS / NEW BUSINESS

Mr. Shepard suggested the Commission carry an item for Executive Session on their future meeting agendas.

NEXT MEETING DATE

The next regular Public Building Commission Meeting is scheduled for Tuesday, December 1, 2020, at 8:30 a.m. via Zoom.

ADJOURNMENT

A motion to adjourn was made by Vice-Chair Lundgren. Ms. Nicholson seconded. Those voting yea were Vice-Chair Lundgren, Ms. Nicholson, Mr. Shepard, and Chairman Swanson. The motion carried unanimously by roll call vote. The meeting was adjourned at 10:50 a.m.

Matt Swanson, Chairman

Tasha Sims, Secretary

<u>Commissioners</u>	<u>Expiration of Term</u>	<u>Office</u>	<u>Original Appointment</u>
Mr. Mike Larson	September 30, 2025	Commissioner	November 17, 2010
Mr. Larry Lundgren	September 30, 2024	Vice-Chairman	April 2, 2010
Ms. Cheryl Nicholson	September 30, 2023	Commissioner	August 19, 2015
Mr. Charles Shepard	September 30, 2021	Commissioner	October 1, 2011
Mr. Matt Swanson	September 30, 2022	Chairman	September 19, 2007
<u>Non-Voting Officers</u>			
Ms. Tasha Sims	September 30, 2021	Secretary	October 4, 2016
Mr. Gary H. Hanson	September 30, 2021	Treasurer	February 18, 1984

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