



## **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, OCTOBER 6, 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, October 6, 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, Mr. Chuck Shepard, and Chairman Matt Swanson. Mr. Mike Larson was absent. A quorum was established with four Commissioners virtually present and one absent.

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, Vice President of Management Performance Associates Scott Gima, , DCRNC Operating Board Chairman and County Board Member Jeff Whelan, County Board Member Steve Faivre, Deputy County Administrator Derek Hiland, 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, Mr. Shepard, and Chairman Swanson. The motion carried unanimously by roll call vote.**

#### **APPROVAL OF MINUTES**

**Mr. Shepard moved to approve the minutes of the Tuesday, September 1, 2020 meeting. Vice-Chair Lundgren 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 the minutes of the Wednesday, September 16, 2020 Special Meeting. Vice-Chair Lundgren 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.**

#### **PUBLIC COMMENTS**

There were no public comments.

#### **NURSING HOME EXPANSION PROJECT**

##### **Project Update**

Ms. Megan Simon, Project Manager from Ringland-Johnson Construction, shared that the project is currently working through punch list items within the Activity Center and Transitional Care Unit (TCU) Addition. There are two items remaining to be completed within the Activity Center. Those are dealing with the wall covering and electrical work. The Activity Center punch list was issued on September 3<sup>rd</sup> and they hope to have all of the work completed shortly.

The TCU punch list was provided to RJC on the 28<sup>th</sup> of September. The plumbing contractor and floor contractor are on site. Many of the items for the TCU are MEP related or Serving Kitchen related. Those contractors are going through the punch list items and getting them completed within the next couple of weeks.

RJC currently has a list drafted of the remaining work that's left to be completed within the interiors. Those items consist of the 480 Wing, Nurse Stations A & B, as well as some of the MEP work (med gas, tie-ins, balancing) that are within the interior corridors. At this time, they are still unable to get to any of the locations to work on those remaining items. They are currently looking at what they can do and what is absolutely necessary and when they will be able to get to those areas once the postponement of work is lifted.

### **Change Order Request**

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 #98:  
(Item #124) 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 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.

Mr. Heimbach added that this item had been before the Commissioners the last two previous meetings and wanted to know if the Commissioners had all the information they needed to address this PCO. Ms. Nicholson expressed that she would like to review the current requests before them, which included additional General Requirements for September.

PCO #101  
(Item #127) There are two windows in the Activity Center where additional retractable window shades and valences are needed to match the other windows in this room. The shades and valences were to be furnished by the owner as part of the project FFE budget. Six of the eight windows in this room were included in the base price and two were not. The request is to add the shades and valences for the remaining two windows into the project cost in the amount of \$2,116.58.

PCO #108:  
(Item #130) Temporary supplemental cooling units were provided for short term cooling and dehumidification. The total amount of \$10,403.54 represents the July, August, and September costs for the equipment used.

Ms. Nicholson noted that she was surprised that they had not already been billed for the month of July and wanted to confirm they didn't previously pay that in a prior PCO.

Mr. Gima verified that equipment for July had not been paid yet because upon review he had some questions about the invoices and the credits within the PCO backup documents reflect follow-up by Sunbelt.

Ms. Nicholson also inquired about the Rental Protection Plan charges from Sunbelt. She added that generally when a contractor doesn't carry coverage for rental equipment, the rental companies add it. With the size of RJC, she was surprised that they wouldn't have a rider of their insurance policy that would cover rental equipment.

*Note: These minutes are not official until approved by the Public Building Commission at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.*

During discussions, Ms. Simon received clarification that RJC did have rental equipment coverage and when they provide sufficient proof of insurance to Sunbelt, they will credit the Rental Protection charges. They will additionally go back to the beginning and credit all dehumidification and cooling equipment used for the project.

PCO #110: At the request of the Owner, the contractor provided repairs and patching to wall and ceiling areas in the existing Lobby. The work has been completed at a cost of \$398.37.

PCO #111: Consistent with the same change to the back wall in Nurse Station for Building A, there is a request to eliminate a hand sink and the associated faucets supply piping, vents and drains inside Nurse Station B. The work has not been completed and will result in a credit of (\$2,113.42).

**Ms. Nicholson moved to approve PCO #101, PCO #108 with the caveat that a credit will be forthcoming for the Rental Protection Plan charges, PCO #110, and PCO #111, in the total amount of \$10,805.07. 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.**

Discussions continued regarding PCO #98. Mr. Hanson inquired if RJC had a not to exceed number on the total remaining general requirements for the life of the project.

Ms. Simon explained that she didn't believe she would be able to give a not to exceed number because of the outstanding items within the interiors that are still surrounded with so much uncertainty. She briefly reviewed what work remained. She added that if work doesn't progress shortly, RJC will begin pulling workers off site and office staff hours dedicated to the project will decrease. There is no equipment on site so general requirement costs should go down significantly. Until RJC is provided with direction on when they can perform the scope of the work in the interiors or if they need to provide credits to the project, the project will remain open and general requirements will be charged, Ms. Simon stated.

The Commissioners and Mr. Hanson expressed their frustration with the general requirement costs and the project in general. It was also noted that the Commission had not receiving cost estimates they had requested that would help them provide further direction to the project.

Mr. Gima updated that attempts to restart the remaining interior work has been on hold due to a late May COVID outbreak and another currently outbreak that started almost three weeks ago within the Nursing Home. Approximately six weeks of uninterrupted work is needed to complete the renovations. Because the Nursing Home is still in the second outbreak, the earliest restart date is close to the last week of October. Any new cases will cause further delays of a least three weeks due to testing requirements mandated by the State. The overriding dilemma is the likelihood of future outbreaks. The six weeks of additional construction can easily stretch to 10 weeks with one outbreak. It is very easy to see a scenario where construction could linger to the end of 2020 or into 2021.

An additional consideration of feedback has been received from some of the construction workers. They are very hesitant to do interior work knowing that staff have tested positive. Lastly, from DCRNC's perspective, the construction workers in resident care areas adds to the risk of bringing the virus into the building, even if the construction workers are tested regularly.

Because of the uncertainty of restarting and completing the remaining work, Mr. Gima believes that the best course of action would be to halt the project as quickly as possible with the remaining interior work to be done when it is safe to do so. Pausing construction without completing all of the work is unprecedented and it also creates a number of issues to address. On the construction side, RJC has developed costs of the remaining work to be done. There are also contractual issues. But they key set of issues to tackle are the regulatory hurdles including the Certificate of Need that is overseen by the Health Service Planning and Review Board, IDPH Life Safety Division (Architects), IDPH Licensure Division as well as CMS/Medicare certification.

*Note: These minutes are not official until approved by the Public Building Commission at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.*

Mr. Heimbach has initiated communication with IDPH Life Safety Division architects and Mr. Gima has initiated communication with IDPH Licensing Division. The takeaway from these conversations is that they are willing to hear the matter but a decision is likely to be made at the top level of IDPH. Mr. Gima has also reached out to an attorney with Polsinelli's Chicago office that heads their national health care practice. His support may be vital especially if there are issues with CMS/Medicare who will probably by the least inclined to be flexible.

Vice-Chair Lundgren expressed to Mr. Gima how much he feels they have been left in the dark on what is happening at the Rehab & Nursing Center.

The Commissioners requested that RJC submit an estimate of what it would cost to close-out the project without completing the rest of the interior work. Ms. Simon noted that she could begin working on that right away. She would work with all of the subcontractors on the scope of work that is remaining. The final numbers would also include the reconciliation of the Schedule and Construction Contingencies and the Bond and Insurance. RCJ will also go back and verify any additional reconciliation change orders that would need to be done as well.

**Ms. Nicholson moved to table PCO #98. Vice-Chair Lundgren seconded the motion. Those Commissioners voting yea were Vice-Chair Lundgren, Ms. Nicholson, and Chairman Swanson. Mr. Shepard opposed. The motion carried by roll call vote.**

#### **UPCOMING CHANGE ORDERS**

Mr. Heimbach noted that they are in the process of reviewing pricing on the following items:

- PCO #81: *Elimination of Renovation Work in Building "B" South (480) Wing.* Due to issues related to the COVID-19 epidemic, the 13 resident rooms in the south wing of Building "B" are needed for daily operations of the Nursing Home. These rooms were originally intended to be renovated and made available as Medicare rooms. Six of the 13 rooms in the 480 Wing have received new finishes and there are seven that are waiting to be renovated. The remaining work in these seven rooms is delayed indefinitely until this current epidemic subsides. The remaining work includes fees and connection points for oxygen and vacuum, new electrical outlets, new finishes including in the associated toilet room. The credited costs include both labor and materials. Costs are still in review.
- PCO #107: *Electrical for 480 Wing.* Additional Emergency circuit outlets are required to accompany the med gas outlets in each resident room. These outlets were not shown in the original construction documents. The costs and scope are being reviewed.
- PCO #112: *Additional General Requirements, September.* 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 requirements. Refer to Item #124 – PCO #98. The total cost is \$48,280.26 for September and is to come out of the Schedule Contingency.

#### **GENERATOR PROJECT FOR COMMUNITY OUTREACH BUILDING**

Mr. Scheffers shared that a couple weeks ago when the area had a large storm the County's Community Outreach Building lost power for over 36 hours. They found that there was minimal coverage with the generator they have at the COB.

Mr. Scheffers contact Dewberry to review the existing emergency distribution system and Emergency Generator spare capacity at the COB. Based upon the numbers, a 250kw generator will be able to carry the entire load of the building and would cost \$70,000. A less expensive alternatives; selective loads determined by the County can be rerouted by the existing normal branch panelboard to existing emergency branch panelboards. Another option would be to reroute feeders for normal power panelboards to Distribution Panel for a cost of \$30,000.

*Note: These minutes are not official until approved by the Public Building Commission at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.*

**Mr. Shepard moved to approve the purchase of a 250kw generator for \$70,000. Vice-Chair Lundgren 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.**

#### **UPDATE ON CAMPUS AIR CONDITIONING PROJECT**

Mr. Scheffers reminded the Commissioners that this was a two-year project. Half of the HVAC units were installed in 2019 and the other half was done this year. All of the units are now up and running and have been tested. All of the units are running very well.

#### **FY 2021 BUDGET**

Mr. Hanson noted that the Commissioners were provided the PBC's FY 2021 Budget and summary for review prior to the meeting. He added that the Budget in general is status quo and a budget of "no". Mr. Hanson requested its passage.

**Mr. Shepard moved to approve the Public Building Commission's FY 2021 Budget. Ms. Nicholson seconded the motion. Those Commissioners voting yea were Vice-Chair Lundgren, Ms. Nicholson, Mr. Shepard, and Chairman Swanson. The motion carried unanimously with all Commissioners present voting yea.**

#### **ELECTION OF OFFICERS**

**Ms. Nicholson moved to retain the current Commission Officers. Chairman: Matt Swanson, Vice-Chairman: Larry Lundgren, Treasurer: Gary Hanson, Secretary: Tasha Sims. 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.**

#### **OLD BUSINESS / NEW BUSINESS**

None.

#### **NEXT MEETING DATE**

The next regular Public Building Commission Meeting is scheduled for Tuesday, November 10, 2020, at 8:30 a.m. If RJC was able to provide close-out numbers, the Commissioners would call a Special Meeting.

#### **ADJOURNMENT**

**A motion to adjourn was made by Vice-Chair Lundgren. Mr. Shepard 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 10:22 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

*Note: These minutes are not official until approved by the Public Building Commission at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.*