



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, JANUARY 5, 2021

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, January 5, 2021, 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: County Administrator/Commission Treasurer Gary Hanson, Mr. John Heimbach with Larson & Darby Group, Brent Johnson, Tucker Johnson, David Wichman, Lauren Spencer, Chrissy Vasquez, and Shawn Tsusaki 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, Deputy County Administrator Derek Hiland, County Board Member Steve Faivre, County Finance Director Pete Stefan, Jeff Whelan, the Daily Chronicle, and Commission Secretary Tasha Sims.

APPROVAL OF AGENDA

Ms. Nicholson moved to approve the agenda with the removal of the Executive Session. 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

Ms. Nicholson moved to approve the minutes of the Tuesday, December 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.

PUBLIC COMMENTS

There were no public comments.

NURSING HOME EXPANSION PROJECT

Project Update

Mr. Shawn Tsusaki from Ringland-Johnson Construction shared that there were only two punch list items left open. The last two keypads and programming will be taken care of today and additional materials are looking to be on site next week to finish the final item in the kitchens.

The flooring has been completed and looks good now and RJC is just wrapping the project up.

Mr. Brent Johnson, President of Ringland-Johnson Construction, introduced himself to the Commission and shared that they have appreciated this project as it comes to a close. Over the past couple of weeks significant time has been put in to close out the project and to ensure all of the paperwork is in place. He also announced that Ms. Megan Simon no longer works for RJC. Unfortunately, five or six key RJC staff have been let go due to a dramatic slow-down in this new economy.

Mr. Johnson reiterated that there are two punch list items remaining. One will be done this week and the other next week. The paperwork is in and a proposal was sent to Mr. Gima and Mr. Hanson to closeout the project in December. Although, the project will be completed in December per paperwork, it takes the State (IDPH) usually a couple of months before they come and do their final inspection, which RJC and L&D will be a part of. The State may or may not have their own punch list type items. RJC is used to working with IDPH and they don't expect there to be any significant issues.

It was also confirmed that all of the testing and balancing has been done as well as the equipment training.

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 #98: 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 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.
(Item #124)
- PCO #124: Due to delays in the project as described in PCO #98 above, the Construction Manager is requesting more funds related to general requirement in the amount of \$23,152.56.
(Item #154)
- PCO #125: This is for the final reconciliation of the bond and insurance costs based on the final GMP amount of \$12,747,576.04. This PCO would be a credit of (\$1,994.04).
(Item #148)
- PCO #126: This is the final reconciliation of the bond and insurance costs based on the final schedule costs. This PCO would be a credit of (5,926.97).
(Item #157)
- PCO #127: This is the final reconciliation of the construction contingency based on the final project costs. This PCO would be a credit of (\$29,939.01).
(Item #158)
- PCO #128: This PCO represents the final connections to the sink in Dining 496. This cost has been previously removed from the construction cost because the Dining Room is in a resident area that was not accessible for construction due to COVID restrictions in the building. RJC/sub subsequently identified a strategy to safely complete the work that separated construction work from staff and resident. The cost of the connect was \$312.00.
(Item #159)
- PCO #129: The contractor is proposing that the owner pay 50% of the General Requirements accrued from December 15 to December 31 in the amount of \$11,320.00.
(Item #160)

Mr. Johnson reviewed what the contracts allowed and what the General Requirements are utilized for.

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As requested at the last PBC meeting, Chairman Swanson and Mr. Hanson did have a meeting with Mr. Tucker Johnson of RJC to try and bring closure to PCO #98. They started the meeting with three questions:

1. The time period stated on the change order is that it is for July and August 2020. It appears, from Ringland communications, that the time-frame for the project started in March, 2019. If that is the case, wouldn't any "extra" time needed for this project start no earlier than September, 2020?
2. Setting aside the time-frames in Item #1, if July and August in PCO #98 are determined correct, why would this include any charges for June?
3. The PCO includes charges for an hourly rate not on the schedule for professional services. Why should this employee's time be allowed to be charged? A specific example is the 104 hours charged for Thomas Poyer at \$116.21 per hour.

What They Learned:

- A. The contract lists out certain types of expenses that are reimbursable.
- B. The contract requires the County to pay those expenses up to the total amount of the GMP (Gross Maximum Price).
- C. The time periods on the invoices are immaterial. What matters is that the expense type is allowable and the GMP has not been exceeded. This would have been less confusing if the Change Orders had never been labeled with months.
- D. Regarding #3 above --- which is the charge for a person not listed on the schedule --- the listing was only for professional services of office staff and Mr. Poyer was on-the-job-site personnel that is billed differently and is allowable as a defined type of reimbursable expense.

After the meeting Chairman Swanson and Mr. Hanson were able to get a better understanding of how the General Requirements are calculated and what exactly they are and now would recommend approving PCO #98 in the amount of \$81,923.54.

Mr. Shepard inquired what were the dollars that they had left to finish the last seven rooms that are not going to be completed under the scope of the project at this time. Mr. Johnson shared that the final GMP on the most recent paperwork is \$12,743,112.54 which results in a net final savings of \$37,540.00. That amount is below the proposed and prior-approved contract total GMP. He attributes the additional savings to active management by the Nursing Home Team and the Commission. Mr. Johnson added that there has been so much management on the project and it has been effective and has saved quite a bit of money.

Mr. Shepard added that they still have seven rooms that they will not be able to renovate to the standards that they were charged with doing and he asked about what it will cost to complete those rooms. Mr. Heimbach noted that PCO #118 was a credit of \$93,381.00 for not doing those seven rooms in the 480 wing and the completion of the work in the Nurse Stations. Mr. Shepard contended that they need to stop patting themselves on the back because they don't have \$93,000 to complete those rooms.

Mr. Hanson explained that the project won't exceed its overall \$15 million that they were allocated. The additional money, if needed, is going to come directly from the Nursing Home Operations Fund. He also reminded that there was a favorable bond sale and the amount of cash that the Nursing Home had to put into the project was sustainably reduced, so there are funds in their capital area to offset when/if the seven rooms will be completed.

There were additional clarifications made and Mr. Johnson further explained the current PCO's for additional General Requirements.

Ms. Nicholson moved to approve PCO #98 = \$81,923.54, PCO #124 = \$23,152.56, PCO #125 = (\$1,994.04), PCO #126 = (\$5,926.97), PCO #127 = (\$29,939.01), PCO #128 = \$312.00, and PCO #129 \$11,320.00. 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.

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UPCOMING CHANGE ORDERS

Mr. Heimbach informed the Commission that there weren't any items for upcoming change orders.

Ongoing Issue:

Mr. Gima reminded the Commission that in early November the Nursing Home and MPA were made aware that cracks in the drywall were showing up in the TCU Addition. By mid-November, there were additional cracks that were popping up in the TCU. They were located primarily in the norther and southern parts of the corridor. The cracks were vertical and horizontal. There were also cracks around the windows and the door jams. The number of cracks obviously were a concern. Mr. Gima reached out to Mr. Heimbach to help identify an independent consultant that could help them identified the cause of the cracking. They engaged Wiss, Janney, Elstner Associates out of Chicago. At the same time, RJC brought in Terry Barnett of Hanson Professional Services Inc. to also do an evaluation. Both consultants independently reviewed the design and both concluded that there were no structural issues leading to cause these cracks.

Mr. Johnson shared that he got involved because there was a potential of there being a serious issue. Mr. Johnson reviewed with the Commission the problems, the identification, and the solutions of which they are almost done with. The problem turned out a lot less onerous than they had thought.

Mr. Johnson showed photos illustrating the vertical and horizontal cracks within the drywall of the project. He also added that the drywall subcontractor was not really cooperative/supportive of RJC exploring this process which led them to wonder and study the drywall even more.

One of the problems identified were that many drywall screws were found to be too far away from joints. They also now believe that one or two of the tapers went too fast and had too much water added to their drywall compound (mud). This was determined because in remediating the issue, RJC was able to easily peel portions of the tape off by hand. In other areas the drywall compound was running down the wall like wet paint would. There were also instances where second coats of compound were placed over first coats that didn't appear to be dry enough yet.

RJC brought in a new taper, Ruiz Construction Systems, which is a separate contractor that RJC is paying on a T&M basis. There will be no cost to the project for these remediations, Mr. Johnson shared. RJC will attempt to recover the costs from the drywall subcontractor that caused these poor quality of workmanship errors and omissions. RJC, as construction manager, is standing behind the work on the project including poor work from a poor-quality installation of a subcontractor.

RJC is ensuring all of the problem areas and bad tape are replaced with a better product called FibaFuse (a mold-resistant glass mat drywall tape). The new product is working well because there have been no cracks in the remediated areas, Mr. Johnson explained. They have also added drywall screws closer to edges, fasteners, and expansion joints properly above door frames.

Mr. Johnson added that by next Friday, January 15th, RJC will have the re-work substantially completed. Following that, within 10 days, they will have the painting done and will have corrected the work at their own cost. RJC was not going to wait for a resolution with the subcontractor because that wouldn't be fair to the Owner.

Chairman Swanson shared that Mr. Tucker Johnson did invite him out to the site to view the remediation but he unfortunately couldn't make it. He did have a discussion with him over the phone and thanked RJC for handling the issue properly and added that the Commission appreciates them for stepping up and taking the responsibility for their subcontractor.

OLD BUSINESS / NEW BUSINESS

None.

NEXT MEETING DATE

The next regular Public Building Commission Meeting is scheduled for Tuesday, February 2, 2021, at 8:30 a.m. via Zoom.

ADJOURNMENT

A motion to adjourn was made by Vice-Chair Lundgren. Ms. Nicholson seconded. Those Commissioners 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 9:59 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