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## **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.

### ***SPECIAL*** **MEETING OF WEDNESDAY, JULY 14, 2021**

A special meeting of the Board of Commissioners of the DeKalb County Public Building Commission (hereinafter "Commission") was held Wednesday, July 14, 2021, at 8:30 a.m. in the Legislative Center's Gathertorium in Sycamore, Illinois pursuant to written notice to each Commissioner as required by the By-Laws.

#### **ROLL CALL**

Chairman Matt Swanson called the meeting to order at 8:30 a.m. and requested the Secretary to call the roll. Those Commissioners present were Vice-Chair Larry Lundgren, Ms. Cheryl Nicholson, Mr. Chuck Shepard, and Chairman Matt Swanson. A quorum was established with four Commissioners present and one seat vacant.

Others that were present included: County Administrator Brian Gregory, County Facilities Management Director Jim Scheffers, Mr. John Heimbach with Larson & Darby, Shawn Tsusaki with Ringland-Johnson Construction, County Board Member Steve Faivre, Commission Treasurer Gary Hanson, and Commission Secretary Tasha Sims.

#### **APPROVAL OF AGENDA**

**Mr. Shepard moved to approve the special meeting agenda. Ms. Nicholson seconded the motion and it was approved unanimously by voice vote.**

#### **PUBLIC COMMENTS**

There were no comments from the public.

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

##### **Approval of a Proposal for Professional Architectural and Engineering Services for the Resumption and Completion of Interior Finishes and Systems**

In response to the Commission's request, Mr. Heimbach presented a proposal for professional services related to the completion of the interior work at the DCRNC. The proposal was intended to be an amendment to the previous agreement, AIA B195, Standard Form of Agreement Between Owner and Architect for Integrated Project Delivery, and as such Larson & Darby Group are recommending the extension of the provisions of that agreement as well as the fee structure of that agreement.

The proposal would cover 1) the completion of the Nurse Station counters and monitoring systems at the Nurse Stations in Building A and Building B, and the related floor and wall finishes, 2) the completion of 13 resident rooms in the south wing of Building B (know as the 480 Wing), and the related floor and wall finishes, 3) completion of the interior distribution system to supply medical gases to these 13 rooms. Because this work had been included within the original scope of renovation work of the previous project, most of the related finish materials were purchased and are currently stored at the Nursing Home.

Mr. Heimbach's proposal laid out that L&D Group would provide services for the completion of the remaining interior areas described, as a continuation of the previous agreement which is a percentage fee of not-to-exceed Eight Point One-Five Percent (8.15%) of the adjusted Guaranteed Maximum Price of the

original project. Review fees from the Illinois Department of Public Health are not included in this price and identification or abatement of hazardous materials is not included in the proposal price.

Mr. Heimbach added that because he approached this as an amendment to the original GMP, if the project was not going to be viewed as a change order and will be rebid, he thought that the Architectural Contract would have to be gone back through and increased because that would involve a lot more scope of services that he was anticipating with the current proposal.

County Administrator Brian Gregory shared that he spoke with the State's Attorney's Office. He relayed that the State's Attorney does not see this as a change order. One approach that could be taken would be to work with RJC to come up with a quote for the remaining work, which would of course now include some inflationary figures, and then have the ability to waive competitive bidding. Really the crux of the matter is the warranty piece. Likely, working with the same General Contractor would be presumably less than going out for bid, Mr. Gregory added.

Almost reversing their steps, Mr. Gregory suggested that they reach out to the General Contractor (RJC) and get a price for the completion of the remaining work in order to determine how much of the services are needed from the architect.

Mr. Heimbach's biggest question in not having this be a change order would be if whether or not the project would be required to go out for a competitive public bid. If they don't have to open up the project to public bidding, then that does not change what architectural services are currently being proposed.

Mr. Gregory didn't want to speak for the Commission, but he expressed that if there is a logical nexus between the price provided (in a separate contract) and essentially resume with RJC, who did the majority of the work, that is something he believes the Commission would strongly consider. If the price comes in and doesn't jive with the credit that was provided when the work stopped and some sort of inflationary index, then he would believe that the Commission would probably want to go out for bid. At the end of the day, everyone wants to be treated fairly, he added.

The Commission and Mr. Heimbach discussed the scope of the work that would involve him and how much of the original drawings he could use to just show the remaining work that needs to be completed. It was additionally noted that some of the language in Larson & Darby's amended contract would need some cleaning up to reflect the fact that there will now be a new contract in place for the remaining work.

The Commission discussed the timeline and order of having a quote from RJC and approving the proposal in front of the from Larson & Darby Group.

In order to get the project rolling again, Mr. Shepard questioned if Mr. Heimbach could give them a not-to-exceed number for his professional services on completing the remaining work of the DCRNC.

**Mr. Shepard moved to authorize an expenditure to Larson & Darby Group of an 8.15% of the adjusted Guaranteed Maximum Price, not-to-exceed \$12,000.00, for professional architectural services (full services until occupancy) to complete the remaining interior work of the DeKalb County Rehab & Nursing Center Expansion Project. 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.**

Ms. Nicholson requested that when the pricing comes in from Ringland-Johnson, she wants to have the opportunity to ask for a Schedule of Values before an amount is approved.

It was additionally noted that using a Guaranteed Maximum Price may not be the way to go to complete this the remaining work associated with this project. It may be best to go with a lump sum quote.

The Commission requested that Mr. Heimbach work with Ringland-Johnson Construction to provide a quote for the remaining work by September 7, 2021.

**ADJOURNMENT**

**A motion to adjourn was made by Vice-Chair Lundgren, seconded by Ms. Nicholson and was approved unanimously.** The meeting was adjourned at 9:14 a.m.

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Matt Swanson, Chairman

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Tasha Sims, Secretary

<u>Commissioners</u>	<u>Expiration of Term</u>	<u>Office</u>	<u>Original Appointment</u>
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
Vacant	September 30, 2025	Commissioner	
<b><u>Non-Voting Officers</u></b>			
Ms. Tasha Sims	September 30, 2021	Secretary	October 4, 2016
Mr. Gary H. Hanson	September 30, 2021	Treasurer	February 18, 1984