

PUBLIC BUILDING COMMISSION OF CHICAGO
MINUTES OF THE REGULAR MEETING OF THE
BOARD OF COMMISSIONERS HELD ON DECEMBER 9, 2008

The regular meeting of the Board of Commissioners of the Public Building Commission of Chicago was held at the Board Meeting Room, 2nd Floor, Richard J. Daley Center on December 9, 2008 at 2:30 P.M.

The following Commissioners were present:

Richard M. Daley, Chairman
Arthur M. Brazier
Adela Cepeda
Gery J. Chico
Robert B. Donaldson
Benjamin Reyes
Cynthia M. Santos
Samuel Wm. Sax
Gerald M. Sullivan
Rufus Williams

The following Commissioner was absent:

Todd H. Stroger

Also present were:

Erin Lavin Cabonargi

L. Bannister
D. Burton
B. Campney
P. Cevallos
J. Clare
E. Davis
S. Ekaitis
A. Fredd
J. Gallagher
R. Giderof
C. Grunst
K. Hall

P. Harbour
P. Harney
J. Hartman
T. Haymaker
B. Hendrix
K. Holt
S. Hubbard
J. Jack
D. Jackson
E. Johnson
M. Kelly
L. Ketterl
C. Kozak
T. Kutas
T. Later
J. Mark
T. McHugh
D. McNabb
L. Neal
J. Plezbert
T. Prendergast
K. Purcell
B. Quinn
B. Rejman
B. Robicsek
O. Ruffin
B. Sandner
K. Smith
P. Spieles
J. Stein
J. Valentin
P. Varnava
A. Wiggins
S. Williams
J. Wilson
D. Winters

The reading of the minutes of the November 12, 2008 meeting, which had previously been distributed, was dispensed with and upon motion duly made and seconded the minutes of said meeting were unanimously approved.

Next, Commissioner Santos presented a report regarding the Administrative Operations (AO) meeting held on December 8, 2008 which is summarized as follows:

- ◆ **Field Orders and Proposed Change Orders** – Field Orders were issued for the following projects: 7th and 9th District Police Stations; Belmont Cragin Area Elementary School; Beverly Branch Library; Fire Station Engine Company 102; Jesse Owens Field House; Kelly Curie High School; Langston Hughes Elementary School; Norwood Park Senior Satellite Center; South Water Plant Chlorine Improvements; Taylor Lauridsen Field House; Vehicle Maintenance Facility; and Westinghouse High School. No change orders were presented to the AO Committee this month. The AO Committee accepted the report.
- ◆ **Report on Specialty Consultants** – The AO Committee accepted the Notice of Awards report to the following specialty consultants: Construction Material Testing for the Taylor-Lauridsen Field House and the Jesse Owens Field House to GSG Material Testing, Inc. and Terracon Consulting Engineers & Scientists, respectively; Phase II Environmental Site Assessment for Brighton Park II Elementary School to Civil & Environmental Consultants, Inc.; Phase II Environmental Site Assessment for Fire Engine Company 109 to Mactec Engineering and Consulting, Inc.; Phase II Environmental Site Assessment for Boone Clinton Area Elementary School to GSG Consultants, Inc.; and Additional Survey services for Kershaw Campus Park to Tecma Associates.
- ◆ **Report on Appointment of Construction Signage** – The AO Committee accepted the report recommending appointment of the following firms to provide construction signage for PBC projects H.M. Witt & Co.; Sign A Rama; and The Blue Print Shoppe.
- ◆ **Report by Executive Director** – The AO Committee accepted the report advising of the roll-out of the new PBC website and new conference room and hotelling facilities for PBC Commissioners on committee and board meeting days.
- ◆ **Reports by Legal Counsel** – Legal Counsel provided the AO Committee with a written report concerning liability risks with regard to the PBC and its officers and employees. Neal and Leroy sought additional expert counsel from Perkins Coie, who recommended that PBC proceed with the appointment of an insurance broker to obtain Directors and Officers (D & O) public liability insurance.

The AO Committee also discussed a proposed amendment of PBC's construction documents to include a requirement for general contractors to utilize local businesses as subcontractors. It was determined that additional discussion is required and the proposal would not be recommended at this time. Finally, legal counsel provided a

report concerning mandatory ethics training provided on December 3, 2008 by Neal & Leroy to PBC staff and also PMO personnel (Rise) and the JOC Administrator personnel (Gordian Group).

- ◆ **Report on Proposed Amendments to Professional Services Agreements** - The AO Committee concurred with the recommendation to approve amendments to professional services agreements as summarized in the Proposed Professional Services Amendment Report attached as Exhibit "A".

The report of the Administrative Operations Committee was accepted.

Following consideration of the Administrative Operations Committee report, and upon motion duly made and seconded, the following resolution was adopted by the Board of Commissioners:

RESOLUTION NO. 7255

BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago that the Executive Director is hereby authorized to issue amendments to Professional Services Agreements for various projects in the amounts indicated on the document entitled "Proposed Professional Services Amendment Report to the Administrative Operations Committee" and attached to the minutes of this meeting as Exhibit "A".

Commissioners voting in the affirmative:

Richard M. Daley, Adela Cepeda, Gery J. Chico,
Robert B. Donaldson, Benjamin Reyes, Cynthia M. Santos,
Samuel Wm. Sax, Gerald M. Sullivan, Rufus Williams – 9

Commissioners voting in the negative:

None

The next item presented to the Commissioners was the Notice of Awards report. There were 9 items included on the notice of contracts awarded since the previous board meeting that were under \$25,000. Commissioner Chico noted for the record his abstention from the notice of award to Primera for the Little Village High School Project. The report was accepted and a copy of this report is attached hereto as Exhibit "B".

The Executive Director next presented to the Commissioners the Notice of Awards made to Specialty Consultants for various PBC projects. There were 6 items included on the notice of contracts awarded to specialty consultants since the previous board meeting. The report was accepted and a copy of this report is attached hereto as Exhibit "C".

The Board of Commissioners was next presented with consideration of approval the appointments of H.M. Witt & Co., Sign A Rama, and The Blue Print Shoppe to provide construction signage for various projects at PBC project sites for a fee not-to-exceed \$12,000 per year, per vendor. The contract will be for three years with the option to extend two-one year terms. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7256

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointments of H.M. Witt & Co., Sign A Rama, and The Blue Print Shoppe to provide construction signage for various projects at PBC project sites for a fee not-to-exceed \$12,000 per year, per vendor.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to execute, upon approval by Legal Counsel as to form and legality, any and all documents as may be necessary and appropriate in order to implement this Resolution.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
Rufus Williams – 10

Commissioners voting in the negative:

None

The next agenda item was consideration of approval of the appointment of Erin Lavin Cabonargi as Plan Administrator for the Public Building Commission of Chicago's Retirement Plan. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7257

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of Erin Lavin Cabonargi as Plan Administrator for the Public Building Commission of Chicago's Retirement Plan.

BE IT FURTHER RESOLVED that Erin Lavin Cabonargi is hereby authorized and directed to undertake any and all actions that may be necessary and appropriate in order to execute her duties as Plan Administrator for the Public Building Commission's Retirement Plan.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
Rufus Williams – 10

Commissioners voting in the negative:

None

The Executive Director next presented to the Board of Commissioners for consideration of approval a request to convey the Bret Harte School located at 1556 E. 56th Street to the City of Chicago in Trust for the Use of Schools pursuant to an intergovernmental agreement between the Board of Education and the City of Chicago. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7258

WHEREAS, the Board of Education (the "Board") acting by and through the City of Chicago in Trust for the Use of Schools pursuant to statute, 105 ILCS 5-34/20, conveyed to the Public Building Commission of Chicago (the "PBC") certain property commonly known as the Bret Harte School located at 1556 E. 56th Street as legally described below (the "School Site"); and

WHEREAS, title to the Property conveyed by the Board is held by the PBC for the benefit of the Board and leased to the Board pursuant to the issuance of PBC's Building Revenue Bonds, Series A of 1993; and

WHEREAS, by Resolution No. 08-119-RS1, adopted on November 19, 2008, the Board determined that it was in the best interest of the Board to cooperate with the City of Chicago (the "City") and Antheur Capital, LLC and its affiliates in the development of the School Site and adjacent property and directed PBC to convey the School Site to the City to be held in trust for the use of the Board; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago hereby approves the request by the Board to convey the School Site, as legally described hereinbelow, to the City to be held in Trust for the Board.

LEGAL DESCRIPTION

THE WEST 150 FEET OF LOT 19 AND ALL LOTS 20, 21 AND 22 IN BLOCK 1 IN ILLINOIS CENTRAL SUBDIVISION OF THE WEST PART OF THE SOUTHWEST 14.09 ACRES IN FRACTIONAL SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 14, AND THE WEST PART OF THE NORTHWEST 17.93 ACRES IN FRACTIONAL NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

LOT 1 IN THE RESUBDIVISION OF BLOCK 68 IN HYDE PARK IN SECTION 14, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

PINS: 20-13-100-008
 20-13-100-010
 20-13-100-011
 20-13-100-012
 20-14-206-002

BE IT FURTHER RESOLVED that the Chairman and Secretary are authorized and directed to execute, upon approval by Legal Counsel, such documents as may be necessary and appropriate in order to effectuate the conveyance and grant of easement.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
 Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
 Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
 Rufus Williams – 10

Commissioners voting in the negative:

None

The next item presented to the Board of Commissioners for consideration of approval was a request from the Chicago Public Schools for the Public Building Commission to provide design, planning and formulation services associated with the installation of new window openings in the building stairwells at the Richard J. Daley Elementary School project located at 5024 S. Wolcott Avenue, Chicago, Illinois and the Ella Flagg Young Elementary School project located at 1434 N. Parkside, Chicago, Illinois for a fee not-to-exceed \$50,000 per school. After discussion and consideration, and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7259

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to provide design, planning and formulation services associated with the stairwell modification projects at the Richard J. Daley Elementary School and the Ella Flagg Young Elementary School on behalf of the Chicago Public Schools for a fee not-to-exceed \$50,000 per school.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to undertake any and all actions and to execute, upon approval by legal counsel as to form and legality, such documents as may be necessary and appropriate in order to implement this resolution.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
Rufus Williams – 10

Commissioners voting in the negative:

None

Next the Executive Director presented to the Board of Commissioners for consideration of approval a request from the Chicago Public Schools for the Public Building Commission to provide design and formulation services associated with the installation of artificial turf at the John C. Burroughs Campus Park project located at 3542 S. Washtenaw Avenue, Chicago, Illinois for a fee not-to-exceed \$60,000. After discussion and consideration, and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7260

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to provide design and formulation services associated with the installation of artificial turf at the John C. Burroughs Campus Park project on behalf of the Chicago Public Schools for a fee not-to-exceed \$60,000.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to undertake any and all actions and to execute, upon approval by legal counsel as to form and legality, such documents as may be necessary and appropriate in order to implement this resolution.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
Rufus Williams – 10

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1475, New Construction Work for the 23rd District Police Station & Parking Structure project located at 808-850 W. Addison Street, Chicago, Illinois. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7261

WHEREAS, pursuant to bid solicitations from duly pre-qualified general construction firms, the Public Building Commission of Chicago received the following base bids for Contract No. 1475, New Construction Work for the 23rd District Police Station & Parking Structure located at 850 W. Addison Street, copies of which bids and contract documents are on file with the Commission:

<u>Bidder</u>	<u>Base Bid</u>	<u>Award Criteria</u>
Harbour Contractors, Inc.	\$30,777,825.64	\$29,792,935.22
Leopardo companies, Inc.	\$31,323,765.00	\$30,202,083.76
FH Paschen/SN Nielsen & Assoc., LLC	\$31,288,000.00	\$30,224,208.00
Walsh Construction Company	\$31,694,995.00	\$30,389,161.21
James McHugh Construction Company	\$32,400,000.00	\$31,055,400.00
IHC Construction Companies, LLC	\$32,520,000.00	\$31,446,840.00
Sollitt/Oakley Joint Venture	\$32,894,000.00	\$31,611,134.00
Kenny Construction Company	\$34,852,000.00	\$33,545,050.00

; and

WHEREAS, the bid of Harbour Contractors, Inc. was the lowest responsible bid meeting the technical specifications received by the Commission for the furnishing and performance of the work; and

WHEREAS, as a part of its bid proposal, Harbour Contractors, Inc. has advised the Commission that the surety on the performance and payment bond to be supplied in the form set forth in the contract documents will be Travelers Casualty and Surety Company of America, a corporate surety authorized to do business under the laws of the State of Illinois; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1475 be awarded to Harbour Contractors, Inc., and Travelers Casualty and Surety Company of America, proposed surety on the performance and payment bond, be accepted and approved by the Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago hereby awards to Harbour Contractors, Inc., Contract No. 1475, New Construction Work for the 23rd District Police Station & Parking Structure project pursuant to the terms thereof for the base contract price of \$30,777,825.64 and authorizes and directs the appropriate officers of the Public Building Commission of Chicago to take such action as may be required or advisable to consummate the award and to execute the contract.

BE IT FURTHER RESOLVED that the Public Building Commission of Chicago does hereby approve a performance and payment bond to be supplied in the form set forth in the contract documents comprising Contract No. 1475, subject to the completion and delivery to the Commission of said form of bond by Harbour Contractors, Inc., as principal, and Travelers Casualty and Surety Company of America, as surety, in the principal amount of \$30,777,825.64, and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
Rufus Williams – 10

Commissioners voting in the negative:

None

The Executive Director next presented to the Board of Commissioners for consideration of approval a request to undertake the purchase of playground equipment for the Lucy Parsons Park project located at 4701 W. Belmont, Chicago, Illinois on behalf of the Chicago Park District. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7262

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to undertake the purchase of playground equipment for the Lucy Parsons Park project on behalf of the Chicago Park District with funds to be provided by or on behalf of the Chicago Park District.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is hereby authorized and directed to undertake any and all actions and to execute, upon approval by legal counsel as to form and legality, such documents as may be necessary and appropriate in order to implement this resolution.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Gery J. Chico, Robert B. Donaldson, Benjamin Reyes,
Cynthia M. Santos, Samuel Wm. Sax, Gerald M. Sullivan,
Rufus Williams – 10

Commissioners voting in the negative:

None

There being no further business to come before the meeting, the meeting was adjourned.

Secretary

APPROVED:

Chairman

**Public Building Commission of Chicago
Proposed Amendment Report to the Administrative and Operations Committee -
December 8, 2008**

Amendment	Project	Consultant	Reason for the Proposed Amendment	Amount of the Proposed Amendment	Consultant's Fee including the Proposed Amendment Fee	Consultant's Fee including the Proposed Amendment Fee as a % of the Current Cost of Construction
1	PBC Administration	Unisys (Desktop/LAN Support) PS 743 - A2	Extension of the existing Desktop / LAN Support Services contract to December 31, 2010, which matches the date of the City of Chicago contract at the current rate of \$4,464.64 per month.	\$107,151.36	\$321,454.08	N/A
2	Belmont Cragin Area Elementary School	STL Architects (PS 1106 - A2) AOR	This amendment represents PBC-requested additional services for the total amount of \$100,000.00 for the Architect of Record to provide the following: 1. Provide (16) hours of additional field time per week for the duration of the project for a lump sum of \$70,000.00. This is to support completion of this accelerated project. 2. Cover additional sub consultant site visits, if required, that are in the excess of the site visits included in the base contract. The site visits will be at the Project Manager's request - \$30,000.00. The services represented in this amendment were not included in the original scope of the Professional Services Agreement.	\$100,000.00	\$2,008,490.00	7.4%
3	Term Agreement	J.E. Manzi & Asso., Inc. (PS 1285 - A1) Consultant	This amendment represents an extended term until December 31, 2009 for the consultant to continue to provide Program Management support on an as-needed basis. This term agreement does not require an increase in value of the current agreement.	\$0.00	\$200,000.00	N/A

NOTICE OF AWARD
DECEMBER 2008

REQUEST FOR SERVICE \$25,000 & UNDER				
Project Name	Service	Firm		\$ Total
PBC Administration	Temp work for Human Resource Department	Accountemps		\$7,457.92
PBC Administration	Temp work for Human Resource Department	Ajilonn Professional Staffing		\$2,336.23
PBC Administration	Purchase Network Switches	AT&T Data Comm		\$7,860.00
PBC Administration	Purchase of Printers and Desktop Computers	System Solutions, Inc.		\$7,057.00
PBC Administration	Purchase of Cabling for new Data Switches	MCPc Computer Products		\$626.16
PBC Administration	Installation and replacement of data switches for Room 200 and CL-16	Unisys		\$11,960.00
Engine Company 102	Conduct a sound study	Shiner & Associates		\$3,780.00
Little Village High School	Provide Assessment & Recommendation for Technical items	Primera		\$9,500.00
Chicago Public Library Program	Catered Lunch for Lessons Learned Workshop	Washburne Culinary Institute		\$170.00

**NOTICE OF AWARD
DECEMBER 2008**

SPECIALTY CONTRACTS

Project Name	Service	MWBE	Firm	\$Total
Taylor Lauridsen Fieldhouse	Construction Material Testing	MBE	GSG Material Testing, Inc	\$40,370.00
Jesse Owens Fieldhouse	Construction Material Testing		Terracon Consulting Engineers & Scientists	\$43,856.50
Brighton Park II Elementary School	Phase II Environmental Site Assessment		Civil & Environmental Consultants, Inc.	\$66,769.92
Fire Engine Company 109	Phase II Environmental Site Assessment		Mactec Engineering and Consulting, Inc.	\$38,008.60
Boone Clinton Area Elementary School	Phase II Environmental Site Assessment	MBE	GSG Consultants, Inc	\$29,800.00
Kershaw Campus Park	Additional Survey services	MBE	Tecma Associates	\$1,920.00

Surveying (Not to Exceed \$50,000.00 per award)

Phase I Environmental (Not to Exceed \$50,000.00 per award)

Phase II Environmental (Not to Exceed \$250,000.00 per award)

Environmental Design (Not to Exceed \$50,000.00 per award)

Commissioning (Not to Exceed \$125,000.00 per award)

Material Testing (Not to Exceed \$150,000.00 per award)