

PUBLIC BUILDING COMMISSION OF CHICAGO
MINUTES OF THE REGULAR MEETING OF THE
BOARD OF COMMISSIONERS HELD ON MARCH 10, 2009

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 March 10, 2009 at 2:30 P.M.

The following Commissioners were present:

Richard M. Daley, Chairman
Arthur M. Brazier
Adela Cepeda
Benjamin Reyes
Cynthia M. Santos
Samuel Wm. Sax

The following Commissioners were absent:

Gery J. Chico
Robert B. Donaldson
Todd H. Stroger
Gerald M. Sullivan
Rufus Williams

Also present were:

Erin Lavin Cabonargi

A. Akindele
J. Albright
L. Bannister
D. Burton
B. Campney
R. Castellano
J. Costanzo
D. Danker
G. De Andre
R. Del Campo
M. Dempsey
D. Earnhart
A. Fredd

R. Garrett
L. Giderof
R. Giderof
K. Hall
P. Harlan
P. Harney
J. Hartman
T. Haymaker
D. Hightower
K. Holt
J. Jack
D. Jackson
J. Jackson
I. Jeanty
E. Johnson
J. Jones
J. Lupinos
A. Lyamets
E. Manning
J. Mark
D. McNabb
J. Meeks
C. Metz
E. Miller
W. Moy
K. Mullaney
B. O'Reilly
E. Penney
J. Plezbert
K. Prout
K. Purcell
B. Quinn
R. Rejman
B. Robicsek
O. Ruffin
B. Sach
B. Sandner
O. San Juan
M. Scott
K. Smith
P. Spieles
T. Spyrson

J. Stein
 E. Stoner
 J. Taniguchi
 J. Van Daveer
 V. Vujovic
 A. Watson
 S. Williams
 J. Wilson

The reading of the minutes of the February 10, 2009 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 February 27, 2009 which is summarized as follows:

- ◆ **Field Order Activity Report** – Field Orders were issued for the following projects: Belmont Cragin Area Elementary School; Beverly Branch Library; Jesse Owens Fieldhouse; Kelly Currie High School; Langston Hughes Elementary School; Norwood Park Senior Satellite Center; South Water Plant Chlorine Improvements; Skinner Elementary School; South Shore Replacement High School; Southwest Area Middle School; Taylor Lauridson Fieldhouse; and Westinghouse High School.
- ◆ **Report on Specialty Consultants** – The AO Committee accepted the Notice of Awards report to the following specialty consultants: Site Survey Services for Jones College Preparatory Academy to Gremley & Biedermann for \$4,250; Phase II Environmental Services for Lee Pasteur Hurley Area Elementary School to Carnow, Conibear & Associates for NTE \$87,844; Phase II Environmental Services for Burley, Earle, Mann & Marshall Campus Park to GSG Consultants for NTE \$25,755; and Phase II Environmental Services for Kershaw, Burroughs Campus Park to K Plus Environmental Services for NTE \$9,012.
- ◆ **Report on Proposed Professional Services Appointments** – The AO Committee accepted the report recommending approval of the following professional services appointment: GSG Consultants, Inc. for geotechnical services for Jones College Preparatory Academy for \$35,365.
- ◆ **Report on Award of Task Order Agreements for Architect of Record Services** – The AO Committee accepted the report recommending approval to award task order contracts for Architect of Record Services for additions and renovation work to eleven firms: Altus Works, Bauer Latoza Studios, Ileki Associates, NIA Architects, Inc., OWP&P, Stephen Rankin Associates, SWWB, The Architects Enterprise, Ltd., Urban Works, Wallin/Gomez Architects, Ltd., and Wight & Company.

- ◆ **Report on Appointment of Architect of Record** – The AO Committee accepted the report recommending appointment of Harley Ellis Deveraux as the Architect of Record (AOR) for the Little Village/Marshall Square Branch Library for a fee not-to-exceed \$721,996 plus reimbursables; Jackson Harlan, LLC as the AOR for the Dunning Branch Library for a fee not-to-exceed \$642,185 plus reimbursables; STR+NIA Collaborative (a Joint Venture) as AOR for the Southwest Area High School for a fee not-to-exceed \$4,653,500 plus reimbursables and Nagle Hartray Danker Kagan McKay Penny Architects, Ltd. as the AOR for the Ogden Replacement Elementary School for a fee not-to-exceed \$2,799,897 plus reimbursables.
- ◆ **Report Concerning the Renewal of Directors and Officers Insurance** – The AO Committee accepted the report concerning the renewal of the PBC's Directors and Officers Liability Insurance with RSU through the PBC's Broker, West Insurance Group. West was able to secure an additional \$3 million of coverage for an increase of less than \$11,000.
- ◆ **Report Regarding Receipt of Bids for Brighton Park I Area Elementary School** - The AO Committee accepted the report advising that PBC has received seven bids for Brighton Park I Area Elementary School. A report was also provided regarding upcoming bid openings on March 4, 2009 for Job Order Contracting (JOC) for locally funded and federally funded facility renovation projects.
- ◆ **Report on Executive Session** – Legal Counsel provided a report concerning the purchase of property on behalf of the Chicago Board of Education for the new Brighton Park II Elementary School. A further report will be provided during Executive Session under the Open Meetings Act.
- ◆ **Report on the Status of Projects** – The Executive Director advised that the opening ceremonies for the 7th District Police Headquarters will be held on March 21, 2009. The Executive Director also provided photographs and a report on the erection of the salvaged water tower at the new Skinner Elementary School, where it will be used as a cistern for the irrigation of the green roof and grounds.
- ◆ **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. 7284

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, Arthur M. Brazier, Adela Cepeda,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The next item presented to the Commissioners was the Notice of Awards report. There were 5 items included on the notice of contracts awarded since the previous board meeting that were under \$25,000. 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 4 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 a report concerning the renewal of Public Officials Liability Insurance for the Public Building Commission. The Executive Director advised the Commissioners that the Public Building Commission has renewed its Public Officials Liability Insurance Policy, effective March 1, 2009, with limits of \$5,000,000 (\$50,000 deductible) for an annual premium of \$58,310 to protect the Commission, board members, officers and persons who act on behalf of the Commission against claims alleging negligence, wrongful acts, errors and omissions, misleading statements, misrepresentations and breach of duty. Legal Counsel advised the Commissioners that the purchase of public officials liability insurance by a public agency

no longer waived any of the immunities afforded by the Tort Immunity Act. After discussion and consideration, and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7285

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago hereby approves the renewal of Public Officials Liability Insurance with limits of \$5,000,000 (\$50,000 deductible), for an annual premium of \$58,310 for the Public Building Commission and its officials and employees, effective March 1, 2009.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The Executive Director next presented to the Board of Commissioners for consideration of approval the appointment of eleven firms as Architect of Record to provide design services for potential renovation and/or addition projects at various locations for the Public Building Commission for a not-to-exceed amount of \$2,000,000.00 plus reimbursables for each firm. The scope of services for each project will be assigned as a task order on an hourly basis with maximum compensation not-to-exceed \$2 million plus reimbursables for each project. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7286

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of 11 firms as Architect of Record to provide design services for renovation and/or addition projects for various PBC projects for a fee, per firm, not-to-exceed \$2,000,000.00 plus reimbursables in such amounts as shall be approved by the Executive Director as follows:

Altus Works
Bauer Latoza Studio

Ilekis Associates
 NIA Architects, Inc.
 OWP/P
 Stephen Rankin Associates
 SWWB Ltd.
 The Architects Enterprise, Ltd.
 Urban Works
 Wallin/Gomez Architects, Ltd.
 Wight & Company

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,
 Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1481, Contract No. 1483 and Contract No. 1484, for Job Order Contracting (JOC) for Locally Funded Facility Renovation Work for various projects at various locations in the City of Chicago. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7287

WHEREAS, pursuant to duly advertised bid solicitations for fixed price indefinite quantity Job Order Contracts (JOC), the Public Building Commission of Chicago received the following base bids for Contract No. 1481, 1483 and 1484, Locally Funded Facility Renovation Work for various projects at various locations in the City of Chicago, copies of which bids and contract documents are on file with the Commission:

| <u>Bidder</u> | <u>Adjustment Factor Bid</u> |
|---|----------------------------------|
| FH Paschen/SN Nielsen & Assoc., LLC (Contract #1481) | 0.9036 |

| | |
|---|--------|
| Leopardo Companies, Inc. (Contract #1483) | 1.0492 |
| Pacific Construction Services, Inc. (Contract #1484) | 1.0543 |
| K.R. Miller Contractors, Inc. | 1.1839 |
| Old Veteran Construction | 1.3627 |

; and

WHEREAS, the advertisement for bids reserved the right for the Commission to award and use multiple Job Order Contracts; and

WHEREAS, it is necessary and desirable, and in the best interests of the Commission to award and use multiple Job Order Contracts based upon capacity, availability of personnel, specific expertise and experience and other factors affecting the responsibility and responsiveness of contracts for various projects to be undertaken by the Commission from time to time; and

WHEREAS, the bids of F.H. Paschen/S.N. Nielsen & Assoc., LLC; Leopardo Companies, Inc.; and Pacific Construction Services, Inc., were the lowest responsible bids meeting the technical specifications received by the Commission for the furnishing and performance of the work; and

WHEREAS, as a part of the bid proposals, F.H. Paschen/S.N. Nielsen & Assoc. LLC have advised the Commission that the surety on the respective performance and payment bond to be supplied in the form to be supplied in the form set forth in the contract documents will be Continental Casualty Company and Safeco Insurance Company of America; Leopardo Companies, Inc. have advised the Commission that the surety on the respective performance and payment bond to be supplied in the form to be supplied in the form set forth in the contract documents will be Continental Casualty Company; and Pacific Construction Services, Inc. have advised the Commission that the surety on the respective performance and payment bond to be supplied in the form to be supplied in the form set forth in the contract documents will be Travelers Casualty and Surety Company of America, corporate sureties authorized to do business under the laws of the State of Illinois; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1481 be awarded to F.H. Paschen/S.N. Nielsen & Assoc., LLC, and Continental Casualty Company and Safeco Insurance Company

of America, proposed surety on the performance and payment bond, be accepted and approved by the Commission; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1483 be awarded to Leopardo Companies, Inc., and Continental Casualty Company, proposed surety on the performance and payment bond, be accepted and approved by the Commission; and.

WHEREAS, the staff of the Commission has recommended that Contract No. 1484 be awarded to Pacific Construction Services, 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 as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. The Board of Commissioners of the Public Building Commission of Chicago hereby awards to F.H.Paschen/S.N. Nielsen & Assoc., LLC, Contract No. 1481, Locally Funded Facility Renovation Work for various projects pursuant to the terms thereof for the adjustment factor bid of 0.9036 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.
3. 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. 1481, subject to the completion and delivery to the Commission of said form of bond by F.H.Paschen/S.N. Nielsen & Assoc., LLC, as principal, and Continental Casualty Company and Safeco Insurance Company, as surety, in the principal adjustment factor bid amount of 0.9036, and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.
4. The Board of Commissioners of the Public Building Commission of Chicago hereby awards to Leopardo Companies, Inc., Contract No. 1483, Locally Funded Facility Renovation Work for various projects pursuant to the terms thereof for the adjustment factor bid of 1.0492 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

5. 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. 1483, subject to the completion and delivery to the Commission of said form of bond by Leopardo Companies, Inc., as principal, and Continental Casualty Company, as surety, in the principal adjustment factor bid amount of 1.0492, and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.
6. The Board of Commissioners of the Public Building Commission of Chicago hereby awards to Pacific Construction Services, Inc., Contract No. 1484, Locally Funded Facility Renovation Work for various projects pursuant to the terms thereof for the adjustment factor bid of 1.0543 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
7. 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. 1484, subject to the completion and delivery to the Commission of said form of bond by Pacific Construction Services, Inc., as principal, and Travelers Casualty and Surety Company of America, as surety, in the principal adjustment factor bid amount of 1.0543, 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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1482, Contract No. 1485 and Contract No. 1486, for Job Order Contracting (JOC) for Federally Funded Facility Renovation Work for various projects at various locations in the City of Chicago. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7288

WHEREAS, pursuant to duly advertised bid solicitations for fixed price indefinite quantity Job Order Contracts (JOC), the Public Building Commission of Chicago received the following base bids for Contract No. 1482, 1485 and 1486, Federally Funded Facility Renovation Work for various projects at various locations in the City of Chicago, copies of which bids and contract documents are on file with the Commission:

| <u>Bidder</u> | <u>Adjustment Factor Bid</u> |
|---|----------------------------------|
| FH Paschen/SN Nielsen & Assoc., LLC (Contract #1482) | 0.9036 |
| Pacific Construction Services, Inc. (Contract #1485) | 1.0488 |
| Leopardo Companies, Inc. (Contract #1486) | 1.0492 |
| Chicago Commercial Contractors, LLC | NON-RESPONSIVE |
| K.R. Miller Contractors, Inc. | 1.1468 |
| Old Veteran Construction | 1.3627 |

; and

WHEREAS, the advertisement for bids reserved the right for the Commission to award and use multiple Job Order Contracts; and

WHEREAS, it is necessary and desirable, and in the best interests of the Commission to award and use multiple Job Order Contracts based upon capacity, availability of personnel, specific expertise and experience and other factors affecting the responsibility and responsiveness of contracts for various projects to be undertaken by the Commission from time to time; and

WHEREAS, the bids of F.H. Paschen/S.N. Nielsen & Assoc., LLC; Pacific Construction Services, Inc., and Leopardo Companies, Inc.; were the lowest responsible bids meeting the technical specifications received by the Commission for the furnishing and performance of the work; and

WHEREAS, as a part of the bid proposals, F.H. Paschen/S.N. Nielsen & Assoc. LLC have advised the Commission that the surety on the respective performance and payment bond to be supplied in the form to be supplied in the form set forth in the contract documents will be Continental Casualty Company and Safeco Insurance Company of America; Pacific Construction Services, Inc. have advised the Commission that the surety on the respective performance and payment bond to be supplied in the form to be supplied in the form set forth in the contract documents will be Travelers Casualty and Surety Company of America; and Leopardo Companies, Inc. have advised the Commission that the surety on the respective performance and payment bond to be supplied in the form to be supplied in the form set forth in the contract documents will be Continental Casualty Company, corporate sureties authorized to do business under the laws of the State of Illinois; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1482 be awarded to F.H. Paschen/S.N. Nielsen & Assoc., LLC, and Continental Casualty Company and Safeco Insurance Company of America, proposed surety on the performance and payment bond, be accepted and approved by the Commission; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1485 be awarded to Pacific Construction Services, Inc., and Travelers Casualty and Surety Company of America, proposed surety on the performance and payment bond, be accepted and approved by the Commission; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1486 be awarded to Leopardo Companies, Inc., and Continental Casualty Company, proposed surety on the performance and payment bond, be accepted and approved by the Commission.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. The Board of Commissioners of the Public Building Commission of Chicago hereby awards to F.H.Paschen/S.N. Nielsen & Assoc., LLC, Contract No. 1482, Federally Funded

Facility Renovation Work for various projects pursuant to the terms thereof for the adjustment factor bid of 0.9036 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.

3. 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. 1482, subject to the completion and delivery to the Commission of said form of bond by F.H.Paschen/S.N. Nielsen & Assoc., LLC, as principal, and Continental Casualty Company and Safeco Insurance Company, as surety, in the principal adjustment factor bid amount of 0.9036, and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.
4. The Board of Commissioners of the Public Building Commission of Chicago hereby awards to Pacific Construction Services., Inc., Contract No. 1485, Federally Funded Facility Renovation Work for various projects pursuant to the terms thereof for the adjustment factor bid of 1.0488 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
5. 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. 1485, subject to the completion and delivery to the Commission of said form of bond by Pacific Construction Services., Inc., as principal, and Travelers Casualty and Surety Company of America, as surety, in the principal adjustment factor bid amount of 1.0488, and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.
6. The Board of Commissioners of the Public Building Commission of Chicago hereby awards to Leopardo Companies, Inc., Contract No. 1486, Federally Funded Facility Renovation Work for various projects pursuant to the terms thereof for the adjustment factor bid of 1.0492 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

7. 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. 1486, subject to the completion and delivery to the Commission of said form of bond by Leopardo Companies, Inc., as principal, and Continental Casualty Company, as surety, in the principal adjustment factor bid amount of 1.0492, 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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1480, New Construction Work for Brighton Park I Area Elementary School project located at 3456 W. 38th Street, Chicago, Illinois. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7289

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. 1480, New Construction Work for Brighton Park I Area Elementary School located at 3456 W. 38th 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> |
|-------------------------------------|-----------------|-----------------------|
| FH Paschen/SN Nielsen & Assoc., LLC | \$22,989,000.00 | \$21,988,979.00 |
| Sollitt/Oakley Joint Venture | \$23,640,000.00 | \$22,611,660.00 |
| IHC Construction Companies, LLC | \$23,532,000.00 | \$22,755,444.00 |
| William A. Randolph | \$23,787,557.00 | \$22,836,055.00 |

| | | |
|-------------------------------|-----------------|-----------------|
| Walsh Construction Company | \$24,289,819.00 | \$23,191,919.00 |
| Henry Bros. Co. | \$24,166,840.00 | \$23,260,584.00 |
| K.R. Miller Contractors, Inc. | \$24,433,000.00 | \$23,455,680.00 |

; and

WHEREAS, the bid of FH Paschen/SN Nielsen & Associates, LLC 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, FH Paschen/SN Nielsen & Associates, LLC 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 Continental Casualty Company and Safeco Insurance Company of America as co-sureties, corporate sureties authorized to do business under the laws of the State of Illinois; and

WHEREAS, the staff of the Commission has recommended that Contract No. 1480 be awarded to FH Paschen/SN Nielsen & Associates, LLC, and Continental Casualty Company and Safeco Insurance Company of America proposed co-sureties 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 FH Paschen/SN Nielsen & Associates, LLC, Contract No. 1480, New Construction Work for Brighton Park I Area Elementary School project pursuant to the terms thereof for the base contract price of \$22,989,000.00 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. 1480, subject to the completion and delivery to the Commission of said form of bond by FH Paschen/SN Nielsen & Associates, LLC, as principal, and Continental Casualty Company and Safeco Insurance Company of America as co-sureties, in the principal amount of \$22,989,000.00, 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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Then the Executive Director presented to the Board of Commissioners for consideration of approval the appointment of GSG Consultants, Inc. to provide Geotechnical Engineering Services for the new Jones College Preparatory Academy project located at 606 S. State Street, Chicago, Illinois for a fee not-to-exceed \$35,365.00. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7290

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of GSG Consultants, Inc. to provide Geotechnical Engineering Services for the new Jones College Preparatory Academy project for a fee not-to-exceed \$35,365.00.

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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The next item presented to the Board of Commissioners for consideration of approval was the appointment of STR+NIA Collaborative as the Architect of Record for

the new Southwest Area High School project located at 77th and Homan, Chicago, Illinois for a fee not-to-exceed \$4,030,200.00 plus reimbursables in such amounts as shall be approved by the Executive Director. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7291

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of STR+NIA Collaborative as Architect of Record for the new Southwest Area High School project for a fee not-to-exceed \$4,030,200.00 plus reimbursables in such amounts as shall be approved by the Executive Director.

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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The Board of Commissioners was next presented with consideration of approval to appoint Nagle Hartray Danker Kagan McKay Penny Architects, Ltd. as the Architect of Record for the new Ogden Replacement Elementary School project located at 24 W. Walton Street, Chicago, Illinois for a fee not-to-exceed \$2,799,897.00 plus reimbursables in such amounts as shall be approved by the Executive Director. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7292

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of Nagle Hartray Danker Kagan McKay Penny Architects, Ltd. as Architect of Record for the new Ogden Replacement Elementary School project for

a fee not-to-exceed \$2,799,897.00 plus reimbursables in such amounts as shall be approved by the Executive Director.

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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Next the Executive Director presented to the Board of Commissioners for consideration of approval a request by the Board of Education of the City of Chicago for the Public Building Commission to amend the site designated for acquisition and construction of the new Brighton Park II Elementary School to include additional adjacent land located in the vicinity of 48th and Rockwell Street, Chicago, Illinois (previously approved April 10, 2007). After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7293

WHEREAS, on February 25, 2009 the Board of Education of the City of Chicago approved Board Report 07-0328-RS7 (which amends resolution designating for acquisition real property for the construction of a new elementary school in the Brighton Park Community) and requested that the Public Building Commission of Chicago designate and acquire additional adjacent land on behalf of the Board of Education; and

WHEREAS, the Board of Education has requested that the Board of Commissioners of the Public Building Commission of Chicago amend site designation and acquire additional adjacent property for the construction of the new Brighton Park II Elementary School located in the vicinity of 48th and Rockwell.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The foregoing recitals are hereby incorporated herein by reference.

2. The Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to amend site designation to include additional adjacent land for the construction of the new Brighton Park II Elementary School on behalf of the Chicago Board of Education with funds to be provided by or on behalf of the Board of Education.

3. 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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Next the Executive Director presented to the Board of Commissioners for consideration of approval a request by the Board of Education of the City of Chicago for the Public Building Commission to amend the site designated for acquisition and construction of the new Southeast Area High School to include additional adjacent land located in the vicinity of 87th Street and South Burley Avenue, Chicago, Illinois (previously approved July 8, 2008). After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7294

WHEREAS, on February 25, 2009 the Board of Education of the City of Chicago approved Board Report 08-0602-RS22, which amends a resolution designating property in the vicinity of 87th Street and South Burley Avenue for the construction of a new high school in the Southeast Area of the City of Chicago; and

WHEREAS, the Board of Education has requested that the Board of Commissioners of the Public Building Commission of Chicago amend site designation and acquire additional adjacent property for the construction of the new Southeast Area High School and recreational facilities located in the vicinity of 87th Street and South Burley Avenue.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The foregoing recitals are hereby incorporated herein by reference.

2. The Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to amend the site designation to include additional adjacent land for the construction of the new Southeast Area High School and recreational facilities on behalf of the Chicago Board of Education with funds to be provided by or on behalf of the Board of Education.

3. 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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The Board of Commissioners was next presented with consideration of approval of the appointment of Harley Ellis Devereaux as the Architect of Record for the new Little Village Marshall Square Branch Library project located at 23rd and Kedzie Avenue, Chicago, Illinois for a fee not-to-exceed \$721,996.00 plus reimbursables. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7295

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of Harley Ellis Devereaux as the Architect of Record for the Little Village Marshall Square Branch Library project for a fee not-to-exceed \$721,996.00 plus reimbursables in such amounts as shall be approved by the Executive Director.

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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The next item presented to the Board of Commissioners was consideration of approval of the appointment of Jackson Harlan, LLC as the Architect of Record for the new Dunning Branch Library project located at 3436 N. Osceola, Chicago, Illinois for a fee not-to-exceed \$642,185.00 plus reimbursables in such amounts as shall be approved by the Executive Director. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7296

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of Jackson Harlan, LLC as the Architect of Record for the new Dunning Branch Library project for a fee not-to-exceed \$642,185.00 plus reimbursables in such amounts as shall be approved by the Executive Director.

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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The Executive Director next presented to the Board of Commissioners for consideration of approval the request from the Chicago Park District to undertake the design and construction of four new Chicago Park District Playground projects. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7297

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to undertake the design and construction of four new Chicago Park District Playground projects on behalf of the Chicago Park District with funding provided by or on behalf of the Park District as listed below:

| <u>Playground</u> | <u>Address</u> |
|-------------------|--|
| Marquette Park | 6743 S. Kedzie Avenue |
| Piotrowski Park | 4247 W. 31 st Street |
| Bromann Park | 5400 N. Broadway Avenue |
| Lincoln Park | Hollywood & Lake Shore Drive (Osterman Beach) |

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,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

The next item to be considered by the Board of Commissioners was to convene an Executive Session for the purpose of discussing the acquisition of real property for the new Brighton Park II Area Elementary School project under section 2(c)5 of the Open Meetings Act. Upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7298

BE IT RESOLVED that an Executive Session of the Board of Commissioners is hereby convened in order to discuss the acquisition of real property for the new Brighton Park II Area Elementary School project under Section 2(c)5 of the Open Meetings Act.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

Commissioners voting in the negative:

None

Legal Counsel presented to the Board of Commissioners in Executive Session consideration of approval of the proposed purchase price of property required for the new Brighton Park II Area Elementary School project located at 4800 S. Rockwell, Chicago, Illinois (the "Property"). The Commissioners were advised on February 25, 2009 the Chicago Board of Education approved the settlement and acquisition of the property for \$3,655,000.00. Title to the property is currently held by Chicago Tube-47th Street and Western, LLC and Wonder Lake Land, LLC. Ronald J. Benach, d/b/a Lexington Homes, is the current owner of the two limited liability companies.

The owner has accepted the acquisition price and settlement. Under the settlement, the Owner will demolish the three industrial buildings on the Property, remove two underground storage tanks, transfer 21,977 square feet of land to the PBC for the expansion and construction of 48th Street from Campbell to Rockwell, and grant a temporary easement for a cul-de-sac required by the Fire Department.

The PBC retained James Gibbons of Gibbons and Gibbons to appraise the Property. Kenneth Polach, a member of the Appraisal Institute and an Illinois certified licensed appraiser, appraised the Property for the Owner.

Based upon information submitted following extensive negotiations with the Owner, Legal Counsel recommends approval of the settlement and acquisition of the Property to the owner, Ronald J. Benach, d/b/a Lexington Homes, in the amount of \$3,655,000.00.

At the conclusion of the Executive Session, the meeting was reconvened and the following resolution was adopted:

RESOLUTION NO. 7299

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the acquisition of the following-described parcel of real estate required for the new Brighton Park II Area Elementary School project on behalf of the Board of Education for the purchase price set forth opposite the owner and address for such parcel:

Brighton Park II Area Elementary School

| <u>Owner</u> | <u>Address</u> | <u>Purchase Price</u> |
|---|------------------|-----------------------|
| Ronald J. Benach d/b/a Lexington Homes | 4800 S. Rockwell | \$3,655,000.00 |

BE IT FURTHER RESOLVED that Legal Counsel and staff of the Commission are hereby authorized to proceed with the acquisition of the parcel described hereinabove for the amount approved herein and to execute such documents and take such actions as may be necessary and appropriate in order to acquire such parcel of real estate.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Adela Cepeda,
Benjamin Reyes, Cynthia M. Santos, Samuel Wm. Sax – 6

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 -
February 27, 2009**

| Amendment | Project | Consultant | Reason for the Proposed Amendment | Current Cost of Construction (including approved change orders) | 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 | Beverly Branch Library | Ilekis Associates (PS 981- A3) AOR | This amendment represents additional services in the amount of \$1,200.00 for the Architect of Record to provide design services related to the change from sod to groundcover in all areas except the parkway and Reading Garden as well as the change from sod to low mow grass in the parkway and Reading Garden. The services represented in this amendment were not included in the original scope of the Professional Services Agreement. | \$6,833,681.00 | \$1,200.00 | \$499,580.00 | 7.3% |
| 2 | Southwest Area Middle School | GREC Architects (PS 1105 - A3) AOR | This amendment represents additional services in the amount of \$4,850.00 for the Architect of Record to provide design and engineering services related to planning, design, and contract administration for changing the building's gas distribution system from low pressure to medium pressure. The services represented in this amendment were not included in the original scope of the Professional Services Agreement. | \$29,390,000.00 | \$4,850.00 | \$2,046,013.00 | 7.0% |

NOTICE OF AWARD
MARCH 2009

| REQUEST FOR SERVICE \$25,000 & UNDER | | | |
|---|---|----------------------------------|--------------|
| Project Name | Service | Firm | \$ Total |
| PBC Administration | Purchase of Replacement Computers, Monitors, 42" Monitor cart and 3 Notebook Computer | System Solutions, Inc. | \$ 10,979.00 |
| PBC Administration | 50 Hours of Support for MIP Software | Computer Onsite | \$ 6,140.00 |
| PBC Administration | Temporary work for the Administration Department | Account Temps | \$ 1,411.12 |
| PBC Administration | Purchase of Scammers and Printers | CDW-G | \$ 1,991.07 |
| Engine Company 109 and Little Village Library | Traffic Study Services | Metro Transportation Group, Inc. | \$ 7,300.00 |

NOTICE OF AWARD
MARCH 2009

| SPECIALTY CONTRACTS | | | | |
|---|--------------|-------|-------------------------------------|--------------|
| Project Name | Service | M/WBE | Firm | \$Total |
| Jones College Prep Academy | Survey | | Gremley & Biedermann | \$4,250 |
| Lee Pasteur Hurley Area Elementary School | Phase II ESA | WBE | Carnow, Conibear & Associates, Ltd. | NTE \$87,844 |
| Burley, Earle, Mann, & Marshall Campus Park | Phase II ESA | MBE | GSG Consultants | NTE \$25,755 |
| Kershaw, Burroughs Campus Park | Phase II ESA | | K Plus Environmental Services | NTE \$9,012 |

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)