

A2.

PUBLIC BUILDING COMMISSION OF CHICAGO
MINUTES OF THE REGULAR MEETING OF THE
BOARD OF COMMISSIONERS HELD ON JULY 11, 2006

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 July 11, 2006 at 2:30 P.M.

The following Commissioners were present:

Richard M. Daley, Chairman
Arthur M. Brazier
Robert B. Donaldson
María N. Saldaña
Cynthia M. Santos
Samuel Wm. Sax
Michael W. Scott
Gerald M. Sullivan

The following Commissioners were absent:

Adela Cepeda
John H. Stroger, Jr.

Also present were:

Montel M. Gayles

V. Alvarez
J. Brankin
E. Cabonargi
B. Campney
V. Cerinich
B. Currie
D. DeGrazia
M. Fernandez
A. Fredd
A. Garcia-Abner
R. Giderof
J. Harmening
J. Herzog

E. Johnson
D. Lai
B. Latham
L. Lewis
G. Lukiz
U. Manar
J. Martin
L. Martinez
J. Meeks
P. Moore
K. Morro
L. Neal
J. Nudelman
G. Oliver
M. Pak
J. Perez
M. Perez
J. Plezbert
K. Purcell
M. Ramirez
R. Rapacki
J. Rauen
O. Rodriguez
B. Sandner
V. Scannell
C. Seay
A. Siegel
P. Spieles
B. Spight
J. Sportolari
L. Suera
E. Thompson
G. Thompson
D. Valadez
J. Valentin
J. Wilson
C. Wright-Harris

The meeting was called to order and the presence of a quorum was established.

The reading of the minutes of the June 13, 2006 meeting, which had previously been distributed, was dispensed with. Commissioner Sax noted that Resolution No. 6926 on page 18 of the minutes of said meeting should include the parent guaranty to be provided by AECOM for the New Kennedy-King College Campus Project and Legal Counsel concurred. NOTE: the minutes as revised are attached hereto as Exhibit A. Upon motion duly made and seconded the minutes of said meeting as amended were unanimously approved.

The Executive Director then presented to the Board of Commissioners for approval a report concerning Liquidated Damages assessed against various contracts marked Exhibit "B". After discussion and consideration, and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6931

BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago that the Executive Director is hereby authorized to assess Liquidated Damages to contracts for various projects in the amounts indicated on the document entitled "Liquidated Damages" and attached to the minutes of this meeting and marked Exhibit "A".

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
Gerald M. Sullivan – 7

Commissioners voting in the negative:

None

Then, the Executive Director presented to the Commissioners the Notice of Awards report. There were 2 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 "C".

This item was presented later during the Board Meeting but is being noted where it appears on the agenda. Chairman Scott of the Administrative Operations (AO) Committee presented a report regarding the meeting held on June 29, 2006 which

is summarized as follows:

- ◆ A status report concerning the selection of a property management firm for the Daley Center was provided. Chairman Scott recommended that DeLoitte conduct a review of the fee proposals, insurance and guarantees provided by the top two proposers, MB Real Estate LLC and Grubb & Ellis. In order to provide continuity, the Committee recommended as extension of the current property management agreement with MB Real Estate LLC for two months.

A report was provided concerning the assessment of liquidated damages for failure to comply with community hiring goals on PBC projects. The assessment of liquidated damages was authorized by PBC's Board of Commissioners in November 2001. The formula used to assess such damages is the same as the City of Chicago residency ordinance passed by the City Council on May 18, 1994. As of June 2006, liquidated damages were assessed by PBC on 3 of 21 projects with the community hiring requirement for the total sum of 34,270.41. The Committee requested that staff develop policy recommendations concerning requalification of contractors that consistently fail to meet the community hiring requirement and the criteria for selecting areas for the community hiring requirement.

- ◆ The Committee concurred with the recommendation by the Managing Architect to amend professional services agreements as summarized in the Proposed Professional Services Amendment Report attached as Exhibit "D".

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. 6932

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 "D".

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Robert B. Donaldson,
 María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
 Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

The next item presented to the Board of Commissioners for consideration of approval was an extension of the MB Real Estate Property Management Agreement for the Richard J. Daley Center for a period of two months commencing on July 1, 2006. The management fee will remain the same. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6933

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission does hereby approve the extension of MB Real Estate's Property Management Agreement for the Richard J. Daley Center at the current management fee for a period of two months commencing on July 1, 2006.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to execute an extension of the current Property Management Agreement in such form as shall be approved by Legal Counsel.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Gerald M. Sullivan – 6

Commissioners voting in the negative:

None

Commissioners abstaining:

Samuel Wm. Sax - 1

The Executive Director next presented a report to the Board of Commissioners regarding projects currently in the closeout phase. The Commissioners were advised that 2 projects were in the closeout phase and both were City of Chicago projects. The report was accepted.

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1446, New Construction Work for Westinghouse High School located at Franklin and Kedzie. The Executive Director reported that the two bids received for this project were both in excess of the construction budget. After review and evaluation by PBC staff and consultation with the Chicago Public Schools, it was recommended that this contract be rejected and rebid. Commissioner Sax noted that the Architect of Record was required by its contract with PBC to continue to revise the plans and specifications and assist with the solicitation of new bids toward the end that the construction cost would not exceed the construction budget. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6934

WHEREAS, pursuant to bid solicitations from general construction firms, the Public Building Commission of Chicago received the following bids for Contract No. 1446, New Construction Work for Westinghouse High School, copies of which bids and contract documents are on file with the Commission:

<u>Bidder</u>	<u>Base Bid</u>	<u>Award Criteria</u>
Walsh Group	\$81,046,000.00	\$77,925,729.00
FHP Tectonics Corporation	\$82,374,000.00	\$79,902,780.00

; and

WHEREAS, after review and evaluation by Public Building Commission staff, it was recommended that it was in the best interests of the Public Building Commission that this contract be rejected and rebid.

NOW, THEREFORE, BE IT RESOLVED that Contract No. 1446 New Construction Work for Westinghouse High School is hereby rejected.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

The next item presented to the Commissioners for consideration of approval was a request from the Department of Planning and Development to transfer certain excess property acquired by the Commission for the 17th District Police Station, located in the vicinity of 4555-69 N. Pulaski, Chicago, Illinois, to the City of Chicago Department of Planning and Development for future development. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6935

WHEREAS, the Public Building Commission "the Commission" has acquired certain property commonly known as 4555-69 N. Pulaski, Chicago, Illinois (the "Property"); and

WHEREAS, it has been determined that the Property, legally described hereinbelow, is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the Commission and has been requested that the Commission convey title to such property to the City of Chicago, an Illinois municipal corporation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request of the Department of Planning and Development to transfer title to the property commonly known as 4555-69 N. Pulaski and legally described below to the City of Chicago.

LEGAL DESCRIPTION

Lot 1 and the north 16 feet of Lot 2 in William X. Meyer=s subdivision of party of the south west 1/4 of the north west 1/4 of Section 14, Township 40 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

PERMANENT INDEX NO.: 13-14-114-004
13-14-114-005

STREET ADDRESS: 4555-4569 N. Pulaski Road
Chicago, Illinois 60630

BE IT FURTHER RESOLVED that the Chairman and Secretary are authorized and directed to execute, on behalf of the Commission, a quit claim deed and such other documents as may be approved as to form and legality by Legal Counsel in order to convey title to such parcel of property to the City of Chicago.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Robert B. Donaldson,
 María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
 Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

The Executive Director next presented a report to the Board of Commissioners concerning the approval by the Board of Trustees of the City Colleges of Chicago of the proposed project budget in the amount not-to-exceed \$254,252,927.00 for the New Kennedy-King College Campus. The report was accepted.

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1444, Site Work for Goudy School Campus Park located at 5120 N. Winthrop Avenue. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6936

WHEREAS, pursuant to publication of advertisements to solicit competitive bids from qualified firms, the Public Building Commission of Chicago received the following bids for Contract No. 1444, Site Work for Goudy School Campus Park, copies of which bids and contract documents are on file with the Commission:

<u>Bidder</u>	<u>Base Bid</u>	<u>Award Criteria</u>
All Bry Construction Company	\$725,000.00	\$721,375.00
HLF Construction	\$870,000.00	\$831,720.00
Speedy Gonzalez Landscaping	\$1,001,133.65	\$961,088.30
Monahan's Landscaping, Inc.	\$1,249,000.00	\$1,211,530.00

; and

WHEREAS, the bid of All Bry Construction Company 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, All Bry Construction Company 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 First National Insurance 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 have recommended that Contract No. 1444 be awarded to All Bry Construction Company, and First National Insurance 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 All Bry Construction Company, Contract No. 1444, Site Work for Goudy School Campus Park pursuant to the terms thereof for the base contract price of \$725,000.00 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. 1444, subject to the completion and delivery to the Commission of said form of bond by All Bry Construction Company, as principal, and First National Insurance Company of America, as surety, in the principal amount of \$725,000.00, 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, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1441, Site Work for Christopher Columbus School Campus Park located at 1003 N. Leavitt. After review and evaluation by PBC staff, it was recommended that this contract be rejected. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6937

WHEREAS, pursuant to bid solicitations from general construction firms, the Public Building Commission of Chicago received the following base bids for Contract No. 1441, Site Work for Christopher Columbus School Campus Park, copies of which bids and contract documents are on file with the Commission:

<u>Bidder</u>	<u>Base Bid</u>	<u>Award Criteria</u>
HLF Construction Company	\$698,150.00	\$667,431.00
All Bry Construction Company	\$672,186.50	\$668,825.57
Speedy Gonzalez Landscaping	\$800,019.57	\$768,018.79
Monahan's Landscaping Company	\$1,056,000.00	\$1,024,320.00

; and

WHEREAS, after review and evaluation by Public Building Commission staff, it was recommended that it was in the best interests of the Public Building Commission that this contract be rejected.

NOW, THEREFORE, BE IT RESOLVED that Contract No. 1441 Site Work for Christopher Columbus School Campus Park is hereby rejected.

Commissioners voting in the affirmative:

Richard M. Daley, Arthur M. Brazier, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1447, Site Work for Christopher Columbus School Campus Park located at 1003 N. Leavitt. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 6938

WHEREAS, pursuant to publication of advertisements to solicit competitive bids from qualified firms, the Public Building Commission of Chicago received the following bid for Contract No. 1447, Site Work for Christopher Columbus School Campus Park, copies of which bid and contract documents are on file with the Commission:

<u>Bidder</u>	<u>Base Bid</u>	<u>Award Criteria</u>
Old Veteran Construction Inc.	\$688,000.00	\$670,112.00

; and

WHEREAS, the bid of Old Veteran Construction 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, Old Veteran Construction 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 Hartford Fire Insurance Company, a corporate surety authorized to do business under the laws of the State of Illinois; and

WHEREAS, the staff of the Commission have recommended that Contract No. 1447 be awarded to Old Veteran Construction Inc., and Hartford Fire Insurance Company, 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 Old Veteran Construction Inc., Contract No. 1447, Site Work for Christopher Columbus School Campus Park pursuant to the terms thereof for the base contract price of \$688,000.00 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. 1447, subject to the completion and delivery to the Commission of said form of bond by Old Veteran Construction Inc., as principal, and Hartford Fire Insurance Company, as surety, in the principal amount of \$688,000.00, 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, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

The next item presented to the Board of Commissioners for consideration of approval was a request to undertake the Drainage Improvement Project for Winnemac Park located at 5100 N. Leavitt Street on behalf of the Chicago Park District, City of Chicago Department of Planning and Development and the Chicago Public Schools. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 6939

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the request to undertake the Drainage Improvement Project for Winnemac Park on behalf of the Chicago Park District, the City's Department of Planning and Development and the Chicago Public Schools.

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, Robert B. Donaldson,
María N. Saldaña, Cynthia M. Santos, Samuel Wm. Sax,
Michael W. Scott, Gerald M. Sullivan – 8

Commissioners voting in the negative:

None

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

Secretary

APPROVED:

Chairman

S:\Clients\Pbc\Brd\July 2006 Minutes.doc

EXHIBIT A

Revisions to Page 18 of the Minutes of the Regular Meeting of the Board of Commissioners held June 13, 2006.

The Executive Director next presented to the Board of Commissioners for consideration of approval the proposed project budget for the new Kennedy-King College Project of \$254,086,695.00 and requested authority for staff to negotiate a Guaranteed Maximum Price (GMP) with McClier Corporation. The GMP will be supported by the guaranty of McClier's parent, AECOM Technology Corporation. The amount of the GMP will be included in the not-to-exceed budget of \$254,086,695.00. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 6926

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the proposed project budget for the new Kennedy-King college project of \$254,086,695.00 and authorizes staff to negotiate a Guaranteed Maximum Price (GMP) with McClier Corporation, supported by AECOM Technology Corporation's parent guaranty, in an amount to be included in the not-to-exceed budget of \$254,086,695.00.

PUBLIC BUILDING COMMISSION OF CHICAGO

BOARD MEETING – July 11, 2006

LIQUIDATED DAMAGES

**PUBLIC BUILDING COMMISSION OF CHICAGO
 NUMERICAL SUMMARY FOR LIQUIDATED DAMAGES
 7/11/06**

CONTR.	PROJECT	CONTRACTOR	LIQUIDATED DAMAGES	ADJUSTED CONTRACT PRICE	COMMENTS	PAGE NO.
1254R	Fire Engine Co.#63	UBM,Inc.	\$ (22,583.70)	\$ 6,669,728.95	Liquidated Damages amount to be applied to Skill Builders	1
	TOTAL		\$ (22,583.70)	\$ 6,669,728.95		

Liquidated Damages
7/11/2006

Contractor:	UBM, Inc.		
Project:	Fire Engine Co.63		
Contract:	1254R		
	% of contract value:		
	Goal %	Committed %	Achieved %
WBE	5	11	9.53
MBE	25	29.82	52.85
	% of total worker hours:		Amount Assessed
	Goal %	Achieved %	
City Residency	50	66	\$0.00
	% of worker type hours:		
	Committed %	*Achieved %	Amount Assessed
Minority:			
Journeyman	50	103	\$0.00
Apprentice	50	95	\$0.00
Laborer	50	104	\$0.00
Female:			
Journeyman	10	27	\$0.00
Apprentice	10	8	\$22,583.70
Laborer	10	10	\$0.00
Total assessed:			\$22,583.70
Adjusted contract amt:			\$6,669,728.95

*Includes community hiring bonus

PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER

FS-04 - Fire Engine Co. 63

7/11/2006

UBM, Inc

223 West Jackson Blvd.

Suite 1200

Chicago, Illinois 60606

CHNG	BULL	CONTRACT NUMBER	1254R	
ORDR	NUM	ORIGINAL CONTRACT PRICE		\$6,877,000.00
NUM		APPROVED CHANGE ORDERS		\$(207,271.05)
ADJUSTED CONTRACT PRICE TO DATE				\$6,669,728.95
008	1254R-058	Liquidated Damages (Failure to meet economic opportunity goals) -		(\$22,583.70)

TOTAL CHANGE ADDITION

(\$22,583.70)

ADJUSTED CONTRACT PRICE AFTER APPROVAL

\$6,647,145.25

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1254R heretofore issued by the Public Building Commission.

All parties shall apply the change as indicated above.

Resolution Number _____

Changes as specified above authorized for the Public Building Commission of Chicago by:

Reviewed By

Executive Director

Notice of Award
July 2006

Project Name	Service	Assigned PM	PM	MA	EX DIR	Firm	\$Total	Comments
PBC Administration	3 Computer Workstations	B. Campney	X	X	X	System Solutions, Inc.	\$3,252.00	
PBC Administration	2 Individual Printers	B. Campney	X	X	X	CDW-G	\$408.99	

**Public Building Commission of Chicago
Proposed Amendment Report to the Administrative and Operations Committee -
June 29, 2006**

"EXHIBIT D"

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	Roger's School Campus Park	EC GSG Consultants (PS577)	Amendment represents additional service of conducting a preliminary site investigation. Site investigation will include performing a historic review of each property, performing a geophysical survey, and performing a limited subsurface investigation.	\$10,800.00	\$10,800.00	NA
2	Columbus School Campus Park	EC GSG Consultants (PS577)	Amendment represents additional service of conducting a preliminary site investigation. Site investigation will include performing a historic review of each property, performing a geophysical survey, and performing a limited subsurface investigation.	\$10,600.00	\$10,600.00	NA
3	Goudy Campus Park	EC GSG Consultants (PS577)	Amendment represents additional service of conducting a preliminary site investigation. Site investigation will include performing a historic review of each property, performing a geophysical survey, and performing a limited subsurface investigation.	\$10,500.00	\$10,500.00	NA
4	Mozart School Campus Park	EC GSG Consultants (PS577)	Amendment represents additional service of conducting a preliminary site investigation. Site investigation will include performing a historic review of each property, performing a geophysical survey, and performing a limited subsurface investigation.	\$10,600.00	\$10,600.00	NA
5	Mt. Vernon School Campus Park	EC GSG Consultants (PS577)	Amendment represents additional service of conducting a preliminary site investigation. Site investigation will include performing a historic review of each property, performing a geophysical survey, and performing a limited subsurface investigation.	\$12,500.00	\$12,500.00	NA
6	Little Village High School	AOR Gonzalez Partners (PS633)	Amendment represents a time extension of a previously approved amendment. The previously approved amendment terminated at the end of June, 2006, this amendment would extend the term of the amendment to August 31, 2006. This additional time is required to finalize punch-list items, monitor final building commissioning efforts and monitor close-out activities	Time Extension Only	\$2,020,188.45	3.6%