

**PUBLIC BUILDING COMMISSION OF CHICAGO**  
**MINUTES OF THE REGULAR MEETING OF THE**  
**BOARD OF COMMISSIONERS HELD ON JULY 10, 2007**

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 10, 2007 at 2:30 P.M.

The following Commissioners were present:

Arthur M. Brazier  
Robert B. Donaldson  
Samuel Wm. Sax  
Todd H. Stroger  
Gerald M. Sullivan  
Rufus Williams

The following Commissioners were absent:

Richard M. Daley, Chairman  
Adela Cepeda  
María N. Saldaña  
Cynthia M. Santos

Also present were:

Montel M. Gayles

S. Alonis  
S. Altschul  
S. Bashir  
B. Campney  
J. Clair  
P. Cushing  
R. Del Canto  
B. Dutcher  
S. Ekaitis  
H. Fantini  
A. Fredd  
J. Gallagher  
R. Giderof  
J. Harmening

P. Harney  
D. Hightower  
K. Holt  
D. Jackson  
E. Johnson  
D. Lai  
E. Lavin  
D. McNabb  
K. Mullaney  
N. Nasser  
L. Neal  
M. Owens  
J. Plezbert  
O. Ruffin  
B. Sandner  
J. Sronkoski  
P. Spieles  
J. Stein  
L. Suera  
E. Thompson  
G. Thompson  
J. Vanek  
V. Vujovic  
J. Wilson

In the absence of Chairman Richard M. Daley, Commissioner Samuel Wm. Sax was nominated and elected by the Commissioners as temporary chairman for purposes of chairing the meeting.

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

The reading of the minutes of the June 12, 2007, 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 Donaldson presented a report regarding the Administrative Operations (AO) meeting held on June 28, 2007 which is summarized as follows:

- ◆ **Field Orders and Proposed Change Orders** – The Director of Development described the change order approval process and provided a report concerning Field Orders issued for Westinghouse High School and Engine Companies 18 and 121. The AO Committee accepted the report recommending approval of change orders for Gale Community Center, \$5,557, and Engine Company 121, \$111,610.

- ◆ **Proposed Liquidated Damages** – The AO Committee accepted the report recommending assessment of liquidated damages for Title II ADA Olive Harvey and Wright Colleges, (\$7,854).
- ◆ **Professional Services Appointments** – The AO Committee accepted the report by the Director of Planning and Design to appoint Center for Neighborhood Technology to provide Green Building Cost and Performance Analysis Consulting Services.
- ◆ **Report by Legal Counsel** – Legal Counsel provided a report concerning a relocation assistance claim for Engine Company 109. A further report to the Board will be provided by Legal Counsel in Executive Session at the July Board Meeting.
- ◆ **Report on Proposed Amendments to Professional Services Agreements** - The 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. 7069

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:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

The Executive Director then called upon Paul Spieles, Director of Development, to present to the Board of Commissioners for consideration of approval proposed Change Orders to various contracts not requiring an increase to the project budgets marked Exhibit "B". Liquidated damages assessed against various contracts marked Exhibit "C" were also reported. After discussion and consideration, and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7070

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

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

Then, the Executive Director presented to the Commissioners the Notice of Awards report. There were 3 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 "D".

The Executive Director next presented a report to the Board of Commissioners regarding the single project currently in the construction closeout phase. The Commissioners were advised that the Goudy Campus Park project was in the closeout phase. The report was accepted.

The Board of Commissioners was next presented consideration of approval of the designation of property located in the vicinity of the Southwest corner of 53<sup>rd</sup> Street and St. Louis Avenue, Chicago, Illinois and legally described hereinbelow as a site to be acquired for the development and construction of the new Kelly/Curie/Gage Park High

School project with funding to be provided by or on behalf of the Chicago Board of Education. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7071

WHEREAS, pursuant to the provisions of "An Act to authorize the creation of public building commissions and to define their rights, powers and duties, approved July 5, 1955," as amended (the "Act"), the Legislature provided for the creation of public building commissions for use by local government agencies in the furnishing of essential governmental, health, safety and welfare services; and

WHEREAS, on March 28, 1956 the City Council (the "City Council") of the City of Chicago (the "City"), created the Public Building Commission of Chicago (the "Commission") pursuant to the Act for the purpose of facilitating the funding, acquiring, constructing, enlarging, improving, repairing or replacing of public buildings, improvements and facilities; and

WHEREAS, the Commission has heretofore undertaken a program involving the acquisition, construction, alteration, repair, renovation and rehabilitation of buildings and facilities for use by various agencies including the Board of Education of the City; and

WHEREAS, the Board of Education of the City has requested that the Commission designate and acquire the property located in the vicinity of the Southwest corner of 53<sup>rd</sup> Street and St. Louis Avenue, Chicago, Illinois and legally described hereinbelow (the "Property"), for the development and construction of a new high school to relieve overcrowding at the Kelly/Curie/Gage Park High Schools (the "Project") with funds to be provided by or on behalf of the City's Board of Education; and

WHEREAS, the Board of Commissioners of the Commission finds that it is necessary, desirable, useful and in the public interest to select, locate and designate the Property for acquisition, development and construction of the Project pursuant to the terms and conditions of the Act; and

WHEREAS, the Property is conveniently located, lies wholly within the territorial limits of the City, and is of sufficient size to accomplish and effectuate the aforesaid purposes and to provide appropriate architectural settings and landscaping for the Project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago as follows:

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

2. Pursuant to the requirements of Section 14 of the Act, the site in the vicinity of the Southwest corner of 53<sup>rd</sup> Street and St. Louis Avenue, Chicago, Illinois, and legally described as follows, (the "Property") is hereby selected, located and designated for acquisition and construction of a new high school to relieve overcrowding at the Kelly/Curie/Gage Park High Schools.

NEW KELLY/CURIE/GAGE PARK HIGH SCHOOL  
(Vicinity of the Southwest corner of 53<sup>rd</sup> Street and St. Louis Avenue)  
Chicago, Illinois

### LEGAL DESCRIPTION

#### 53<sup>rd</sup> Street and St. Louis Avenue

PIN: 19-11-400-007 (Part of 28 acre tract)

9.88 ACRE PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE PRINCIPAL MERIDIAN FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE 494 FEET NORTH OF WEST 55<sup>TH</sup> STREET (527 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER) AND THE EAST LINE OF THE GRAND TRUNK WESTERN RAILROAD RIGHT OF WAY, WHICH IS 50.00 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER; THENCE NORTH ALONG SAID EAST LINE PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 736.4 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 585.58 FEET TO THE WEST LINE OF ST. LOUIS AVENUE; THENCE SOUTH ALONG SAID WEST LINE OF ST. LOUIS AVENUE A DISTANCE OF 736.4 FEET TO A LINE 494 FEET NORTH OF WEST 55<sup>TH</sup> STREET AND 527 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER; THENCE WEST, ALONG SAID PARALLEL LINE A DISTANCE OF 585.49 FEET TO THE POINT OF BEGINNING.

SAID 9.88 ACRES IS IMMEDIATELY NORTH OF AND ADJACENT TO THE 6.64 ACRES OF LAND PURCHASED BY THE CITY OF CHICAGO IN TRUST FOR USE OF SCHOOLS FROM THE GRAND TRUNK WESTERN RAILROAD BY DEED DATED DECEMBER 20, 2002, RECORDED ON DECEMBER 30, 2002 AS DOCUMENT NUMBER 0021452867.

**COMMON ADDRESS/BOUNDARIES:**

53<sup>rd</sup> STREET (IF EXTENDED) ON THE NORTH; ST. LOUIS AVENUE ON THE EAST; A LINE 494 FEET NORTH OF THE NORTH LINE OF 55<sup>TH</sup> STREET ON THE SOUTH; AND THE FORMER GRAND TRUNK WESTERN RAILROAD RIGHT OF WAY ON THE WEST (CENTRAL PARK AVENUE AS EXTENDED).

3. The Executive Director of the Commission and Legal Counsel are hereby authorized and directed to undertake any and all action which may be necessary and appropriate to effectuate the purposes of this resolution including, but not limited to, the acquisition of fee simple title to the area or areas designated herein from the owner or owners of the Property.

4. The Executive Director of the Commission and Legal Counsel are hereby authorized and directed to negotiate for and on behalf of the Commission with the owner or owners of the Property regarding the purchase price and other terms and conditions for acquisition of the Property. In the event that Legal Counsel is able to agree with the owner or owners of the Property upon the terms and conditions of purchase, authorization is hereby granted to purchase the Property as described herein subject to approval of the purchase price by the Board of Commissioners of the Commission.

5. In the event that Legal Counsel is unable to agree with the owner or owners of the Property, or in case the name or names of the owner or owners thereof are unknown or they are non-residents of the State of Illinois, or are unable to deliver clear and merchantable title to the Property, Legal Counsel shall institute and prosecute condemnation proceedings in the name of and on behalf of the Commission for the benefit of the City of Chicago Board of Education for the purpose of acquiring title to the Property pursuant to the exercise of the Commission's powers of eminent domain.

6. If any provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this resolution.

7. This resolution shall be effective immediately upon the passage thereof.

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

Next, the Executive Director presented to the Board of Commissioners for consideration of approval a request to designate and acquire certain property located in the vicinity of the Southwest corner of 47<sup>th</sup> Street and Hoyne Street, Chicago, Illinois and legally described hereinbelow as a site to be acquired for the development and construction of the new Back of the Yards High School project with funding to be provided by or on behalf of the Chicago Board of Education. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7072

WHEREAS, pursuant to the provisions of "An Act to authorize the creation of public building commissions and to define their rights, powers and duties, approved July 5, 1955," as amended (the "Act"), the Legislature provided for the creation of public building commissions for use by local government agencies in the furnishing of essential governmental, health, safety and welfare services; and

WHEREAS, on March 28, 1956 the City Council (the "City Council") of the City of Chicago (the "City"), created the Public Building Commission of Chicago (the "Commission") pursuant to the Act for the purpose of facilitating the funding, acquiring, constructing, enlarging, improving, repairing or replacing of public buildings, improvements and facilities; and

WHEREAS, the Commission has heretofore undertaken a program involving the acquisition, construction, alteration, repair, renovation and



rehabilitation of buildings and facilities for use by various agencies including the Board of Education of the City; and

WHEREAS, the Board of Education of the City has requested that the Commission designate and acquire the property located in the vicinity of the Southwest corner of 47<sup>th</sup> Street and Hoyne Street, Chicago, Illinois and legally described hereinbelow (the "Property"), for the development and construction of the new Back of the Yards High School (the "Project") with funds to be provided by or on behalf of the City's Board of Education; and

WHEREAS, the Board of Commissioners of the Commission finds that it is necessary, desirable, useful and in the public interest to select, locate and designate the Property for acquisition, development and construction of the Project pursuant to the terms and conditions of the Act; and

WHEREAS, the Property is conveniently located, lies wholly within the territorial limits of the City, and is of sufficient size to accomplish and effectuate the aforesaid purposes and to provide appropriate architectural settings and landscaping for the Project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. Pursuant to the requirements of Section 14 of the Act, the site in the vicinity of the Southwest corner of 47<sup>th</sup> Street and Hoyne Street, Chicago, Illinois, and legally described as follows, (the "Property") is hereby selected, located and designated for acquisition and construction of the new Back of the Yards High School.

BACK OF THE YARDS HIGH SCHOOL  
(Vicinity of the Southwest corner of 47<sup>th</sup> Street and Hoyne Street)  
Chicago, Illinois

### **LEGAL DESCRIPTION**

**Vicinity of the Southwest corner of 47<sup>th</sup> Street and Hoyne Street**  
PINS: 20-07-107-002 through and including 016,  
20-07-107-036 and 037

LOTS 1 THROUGH 20 INCLUSIVE AND LOTS 27 THROUGH 46 INCLUSIVE, TOGETHER WITH THE VACATED ALLEY LYING SOUTH OF LOTS 1 THROUGH 20 AND NORTH OF LOTS 27 THROUGH 46 AND VACATED 47<sup>TH</sup> PLACE LYING SOUTH OF AND ADJACENT TO LOTS 27 THROUGH 46 ALL IN B.F. JACOB'S SUBDIVISION OF THE NORTH HALF OF BLOCK 14 OF STONE AND WHITNEY'S SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 6 AND THE NORTH HALF AND WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

AND THE NORTH 120 FEET OF LOT 1 AS MEASURED ON THE EAST LINE OF LOT 1 IN THE CONSOLIDATION OF PART OF BLOCKS 14 AND 19 OF STONE AND WHITNEY'S SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 6 AND THE NORTH HALF AND WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

**COMMON ADDRESS:**

2101-2147 W. 47<sup>TH</sup> STREET, 2100-2148 W. 47<sup>TH</sup> PLACE, AND 4736 S. HOYNE, Chicago, IL.

3. The Executive Director of the Commission and Legal Counsel are hereby authorized and directed to undertake any and all action which may be necessary and appropriate to effectuate the purposes of this resolution including, but not limited to, the acquisition of fee simple title to the area or areas designated herein from the owner or owners of the Property.

4. The Executive Director of the Commission and Legal Counsel are hereby authorized and directed to negotiate for and on behalf of the Commission with the owner or owners of the Property regarding the purchase price and other terms and conditions for acquisition of the Property. In the event that Legal Counsel is able to agree with the owner or owners of the Property upon the terms and conditions of purchase, authorization is hereby granted to purchase the Property as described herein subject to approval of the purchase price by the Board of Commissioners of the Commission.

5. In the event that Legal Counsel is unable to agree with the owner or owners of the Property, or in case the name or names of the owner or owners thereof are unknown or they are non-residents of the State of Illinois, or are unable to deliver clear and merchantable title to the Property, Legal Counsel shall institute and prosecute condemnation proceedings in the name of and on behalf of the Commission for the benefit of the City of Chicago Board of Education for the purpose of acquiring title to the Property pursuant to the exercise of the Commission's powers of eminent domain.

6. If any provisions of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this resolution.

7. This resolution shall be effective immediately upon the passage thereof.

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

The next item presented to the Board of Commissioners for consideration of approval was the designation of property located in the vicinity of the Southeast corner of Belmont Avenue and Laramie Avenue, Chicago, Illinois and legally described hereinbelow as a site to be acquired for the development and construction of the new Northwest Area Elementary School project with funding to be provided by or on behalf of the Chicago Board of Education. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7073

WHEREAS, pursuant to the provisions of "An Act to authorize the creation of public building commissions and to define their rights, powers and duties, approved July 5, 1955," as amended (the "Act"), the Legislature provided for the creation of public building commissions for use by local government agencies in the furnishing of essential governmental, health, safety and welfare services; and

WHEREAS, on March 28, 1956 the City Council (the "City Council") of the City of Chicago (the "City"), created the Public Building Commission of Chicago (the "Commission") pursuant to the Act for the purpose of facilitating the funding, acquiring, constructing, enlarging, improving, repairing or replacing of public buildings, improvements and facilities; and

WHEREAS, the Commission has heretofore undertaken a program involving the acquisition, construction, alteration, repair, renovation and rehabilitation of buildings and facilities for use by various agencies including the Board of Education of the City; and

WHEREAS, the Board of Education of the City has requested that the Commission designate and acquire the property located in the vicinity of the Southeast corner of Belmont Avenue and Laramie Avenue, Chicago, Illinois and legally described hereinbelow (the "Property"), for the development and construction of the new Northwest Area Elementary School (the "Project") with funds to be provided by or on behalf of the City's Board of Education; and

WHEREAS, the Board of Commissioners of the Commission finds that it is necessary, desirable, useful and in the public interest to select, locate and designate the Property for acquisition, development and construction of the Project pursuant to the terms and conditions of the Act; and

WHEREAS, the Property is conveniently located, lies wholly within the territorial limits of the City, and is of sufficient size to accomplish and effectuate the aforesaid purposes and to provide appropriate architectural settings and landscaping for the Project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. Pursuant to the requirements of Section 14 of the Act, the site in the vicinity of the Southeast corner of Belmont Avenue and Laramie Avenue, Chicago, Illinois, and legally described as follows, (the "Property") is hereby selected, located and designated for acquisition and construction of the new Northwest Area Elementary School.

NORTHWEST AREA ELEMENTARY SCHOOL  
(Vicinity of the Southeast corner of Belmont Ave. and Laramie Ave.)  
Chicago, Illinois

**LEGAL DESCRIPTION**

**Belmont Avenue and Laramie Avenue**

PIN: 13-28-200-001, 002, 041, 042, 043 and 13-28-200-044

LOTS 1 THROUGH 24 INCLUSIVE, IN STEVEN'S BELMONT AND LARAMIE AVENUE SUBDIVISION OF BLOCK 16 IN FALCONER'S ADDITION TO CHICAGO, A SUBDIVISION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

**COMMON ADDRESS:**

5129-5133 W. BELMONT AVENUE, CHICAGO, IL

3. The Executive Director of the Commission and Legal Counsel are hereby authorized and directed to undertake any and all action which may be necessary and appropriate to effectuate the purposes of this resolution including, but not limited to, the acquisition of fee simple title to the area or areas designated herein from the owner or owners of the Property.

4. The Executive Director of the Commission and Legal Counsel are hereby authorized and directed to negotiate for and on behalf of the Commission with the owner or owners of the Property regarding the purchase price and other terms and conditions for acquisition of the Property. In the event that Legal Counsel is able to agree with the owner or owners of the Property upon the terms and conditions of purchase, authorization is hereby granted to purchase the Property as described herein subject to approval of the purchase price by the Board of Commissioners of the Commission.

5. In the event that Legal Counsel is unable to agree with the owner or owners of the Property, or in case the name or names of the owner or owners thereof are unknown or they are non-residents of the State of Illinois, or are unable to deliver clear and merchantable title to the Property, Legal Counsel shall institute and prosecute condemnation

proceedings in the name of and on behalf of the Commission for the benefit of the City of Chicago Board of Education for the purpose of acquiring title to the Property pursuant to the exercise of the Commission's powers of eminent domain.

6. If any provisions of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this resolution.

7. This resolution shall be effective immediately upon the passage thereof.

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

Thereupon the Executive Director reported on the receipt of bids for Contract No. 1457, New Construction Work for the new Fire Station Engine Company 102 project located at 7340 N. Clark Street, Chicago, Illinois. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7074

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. 1457, New Construction Work for the new Fire Station Engine Company 102 project located at 7340 N. Clark 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>
Burling Builders, Inc.	\$8,790,000.00	\$8,424,336.00
F.H. Paschen, S.N. Nielsen & Associates, LLC	\$8,869,000.00	\$8,585,192.00
IHC Construction companies, LLC	\$9,198,000.00	\$8,894,466.00

Scale Construction Inc.

\$9,303,000.00

\$9,014,607.00

;and

WHEREAS, the bid of Burling Builders, 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, Burling Builders, 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 Liberty Mutual Insurance Company, 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. 1457 be awarded to Burling Builders, Inc., and Liberty Mutual 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 Burling Builders, Inc., Contract No. 1457, New Construction Work for the new Fire Station Engine Company project pursuant to the terms thereof for the base contract price of \$8,790,000.00 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. 1457, subject to the completion and delivery to the Commission of said form of bond by Burling Builders, Inc., as principal, and Liberty Mutual Insurance Company, as surety, in the principal amount of \$8,790,000.00, and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

The Board of Commissioners was next presented consideration of approval to appoint the Center for Neighborhood Technology (CNT) to provide Green Building Cost and Performance Analysis Consulting Services to the Public Building Commission for a fee not-to-exceed \$125,000.00. After discussion and consideration and upon motion duly made and seconded, the following resolution was adopted.

RESOLUTION NO. 7075

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the appointment of the Center for Neighborhood Technology (CNT) to provide Green Building Cost and Performance Analysis Consulting Services for the Public Building Commission for a fee not-to-exceed \$125,000.00 plus reimbursable expenses which may be necessary to complete the project in such amounts as may be approved by the Executive Director; and

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:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 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 relocation assistance in connection with the acquisition of real property for the new Fire Station Engine Company 109 project under Section 2(c)5 of the Open Meetings Act and disbursement of settlement proceeds relating to the Daley Center under Section 2(c)11 of the Open Meetings Act. Upon motion duly made and seconded, the following resolution was adopted:

RESOLUTION NO. 7076

BE IT RESOLVED that an Executive Session of the Board of Commissioners is hereby convened in order to discuss relocation assistance in connection with the acquisition of real property for the new



Fire Station Engine Company 109 project under Section 2(c)5 and disbursement of settlement proceeds involving the Daley Center under Section 2(c)11 of the Open Meetings Act.

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

Legal Counsel advised the Board of Commissioners that a relocation assistance claim was filed by the Coach Light Quick Wash, a laundromat that is owned and operated by In Duk Yun (the "Tenant") in connection with the acquisition of 2337 S. Kedzie (project Fire Station Engine Company 109). The facility contained 35 washers and 28 dryers, plus related counter tops and other miscellaneous equipment and utilities necessary in order to operate the laundromat.

The Tenant is not entitled to receive any compensation from the condemnation award, but is entitled to relocation assistance under the Uniform Relocation Assistance and Real Property Policies Act (the "Uniform Act"). PBC retained Annette Favia, relocation consultant, to explain relocation benefits and procedures to the Tenant, prepare an inventory and evaluate the claim for relocation assistance.

Mr. Yun submitted two estimates of relocation, namely: Washtown Equipment, for \$295,000.00 and D & M Equipment for \$297,000.00. After review of various relocation documents submitted by Mr. Yun d/b/a Coach Light Quick Wash to support its relocation claim and consultation with PBC's relocation consultant, Legal Counsel recommended approval of relocation assistance in the amount of \$120,000.00 in accordance with the various provisions of the Uniform Relocation Act.

Next, Legal Counsel presented to the Board of Commissioners the proposed distribution of settlement funds among the County of Cook, City of Chicago and the Public Building Commission relative to the claim against United States Gypsum (USG) with regard to asbestos at the Richard J. Daley Center. Legal Counsel advised the Commissioners that the City of Chicago and County of Cook had reached an agreement

as to the allocation of the settlement proceeds as follows: County – 86.6%; City – 11.25%; PBC – 2.15%. When interest earned is included, the distribution is as follows: County - \$21,781,472.99; City - \$2,829,579.34; PBC - \$540,764.05.

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

RESOLUTION NO. 7077

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the settlement of the relocation claim by In Duk Yun, d/b/a Coach Light Quick Wash, for the property located at 2337 S. Kedzie Avenue required for the new Fire Station Engine Company 109 project, for the sum of \$120,000.00.

BE IT FURTHER RESOLVED that Legal Counsel and staff of the Commission are hereby authorized to execute such documents and undertake such action as may be necessary and appropriate in order to effectuate the settlement of the relocation claim approved by this Resolution.

Commissioners voting in the affirmative:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

RESOLUTION NO. 7078

BE IT RESOLVED that the Board of Commissioners of the Public Building Commission of Chicago does hereby approve the allocation and disbursement of settlement funds relative to the claim against United States Gypsum (USG) with regard to asbestos at the Richard J. Daley Center as follows:

To County including interest (86.6%)	\$ 21,781,472.99
To City including interest (11.25%)	\$ 2,829,579.34
To PBC including interest (2.15%)	\$ 540,764.05

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:

Arthur M. Brazier, Robert B. Donaldson, Samuel Wm. Sax,  
Todd Stroger, Gerald M. Sullivan, Rufus Williams – 6

Commissioners voting in the negative:

None

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

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Secretary

APPROVED:

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Chairman

**Public Building Commission of Chicago  
Proposed Amendment Report to the Administrative and Operations Committee -  
June 28, 2007**

Amendment	Project	Consultant	Reason for the Proposed Amendment	Consultant's Current Fee	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	New Westinghouse High School	DeStefano and Partners (PS-821) AOR	<p>This amendment represents the following additional PBC requested services performed by DeStefano:</p> <p>1. Additional design services in the amount of \$12,410.00 required as a result of the new City Design Criteria and Construction Standards dated March 2007. After the project was issued for permit (March 8th, 2007), the Office of Underground Coordination advised DeStefano of a requirement to revise their civil drawings based on the change to the Standards referenced above. The changes included modifications to the document's related driveways, ramps, and corner sidewalks as well as the required coordination meetings.</p> <p>2. Additional design services in the amount of \$36,685.00 to design the Earth Retention System. Design of the Earth Retention Systems is usually and customarily performed by the General Contractor as part of its "means and methods." The completed design (which must be prepared by a licensed engineer) must be submitted by the General Contractor with its application for a Building Permit. AOR was directed to design the System in order to expedite the submittal, review, and approval of the Building Permit.</p>	\$4,388,920.00	\$49,095.00	\$4,438,015.00	6.4%
2	Engine Company 70	Tishman (PS - 997) OR	This amendment represents additional PBC requested services to be performed by Tishman in the amount of \$39,000 to provide Testing and Inspection Services at Engine 70.	\$262,180.00	\$39,000.00	\$301,180.00	3.2%
3	Engine Company 102	Tishman (PS - 997) OR	This amendment represents additional PBC requested services performed by Tishman in the amount of \$14,000 to provide construction cost estimates at the 90% and 100% documents and updates incorporating the bid addenda for Engine 102. These cost estimates were not originally included in the OR's scope of work.	\$262,180.00	\$14,000.00	\$276,180.00	3.1%
4	Term Agreement	Carnow, Conibear & Associates, LTD (PS-977) EC	<p>This amendment represents an increase in value of the consultant's original agreement to provide environmental consulting services for the 7th District Police Station, Engine Company 18, Engine Company 70 and Engine Company 121. The amendment will increase the value of the Agreement by \$450,000 in order for the consultant to provide the scope of services listed below. These services will be paid for with project funds. There were no previous amendments.</p> <ul style="list-style-type: none"> <li>- Phase I and Phase II Environmental Site Assessments (ESA)</li> <li>- Pre-Construction Management Services, including Design and Specification Preparation</li> <li>- Estimating Services</li> <li>- Remediation Oversight and Management Services</li> <li>- UST Removal Oversight and Reporting Services</li> <li>- Geotechnical Analysis / Review</li> <li>- Load Ticket and Manifest Review, Approval, and Logging Services</li> <li>- Preparation of Regulatory Reports</li> <li>- Coordination of Permitting for UST Removal and Soil/Water Disposal</li> </ul>	\$300,000.00	\$450,000.00	\$750,000.00	N/A

***PUBLIC BUILDING COMMISSION OF CHICAGO***

***BOARD MEETING – July 10, 2007***

***CHANGE ORDERS***

**PUBLIC BUILDING COMMISSION  
SUMMARY OF PROPOSED CHANGE ORDERS  
FOR PBC BOARD MEETING  
July 10, 2007**

A	B	C	D	E	F = (D+E)	G	H = (F+G)	I = ((E+G)/D)
PROJECT	CONTRACT NUMBER	CONTRACTOR	ORIGINAL CONSTRUCTION CONTRACT	AMOUNT OF PREVIOUSLY APPROVED CHANGE ORDERS	ADJUSTED CONTRACT WITH PREVIOUSLY APPROVED CHANGE ORDERS	PROPOSED CHANGE ORDERS FOR JULY	ADJUSTED CONSTRUCTION CONTRACT AFTER APPROVAL OF PROPOSED CHANGE ORDERS	ALL CHANGE ORDERS AS PERCENT OF THE ORIGINAL CONTRACT PRICE
Gale Community Center	1336	FHP Tectonics d/b/a FH Paschen & SN Nielsen Associates	\$5,964,000.00	\$552,739.68	\$6,516,739.68	\$5,557.00	\$6,522,296.68	9.36%
Fire Station E121	1337	Pacific Construction Services	\$7,193,700.00	\$93,962.00	\$7,287,662.00	\$10,000.00	\$7,399,272.00	2.86%

# PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER  
Gale Community Center  
7/10/2007

FHP Tectonics d/b/a FH Paschen & SN Nielsen  
Associates  
8725 W. Higgins Road  
Suite 200  
Chicago, IL 60631

CHNG	BULL	CONTRACT NUMBER	1336	
ORDR	NUM	ORIGINAL CONTRACT PRICE		\$5,964,000.00
NUM		APPROVED CHANGE ORDERS		\$552,739.68
<b>ADJUSTED CONTRACT PRICE TO DATE</b>				<b>\$6,516,739.68</b>
004	1336-007	Provide additional topsoil on areas adjacent to the building where discovered unsuitable soils were removed and replaced with engineered fill. Increased depth of topsoil, in addition to that included in base contract work, is required to ensure proper plant growth of landscaping materials over the engineered fill. - (Discovered Condition)		\$6,495.00
004	1336-011	Provide fire-rated doors and frames for two doors for code compliance. - (Errors and Omissions)		\$297.00
004	1336-012	Change lavatory faucets in public toilets from dual-valves to single-valve faucets. - (Owner Directed)		(\$1,514.00)
004	1336-013	Add aluminum rain drips over five exterior doors to minimize potential water infiltration. - (Owner Directed)		\$279.00

TOTAL CHANGE ADDITION

**\$5,557.00**

**ADJUSTED CONTRACT PRICE AFTER APPROVAL**

**\$6,522,296.68**

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1336

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

# PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER

Fire Station 121

7/10/2007

## Pacific Construction Services

33 W. Monroe Suite 2100

Chicago, Illinois 60603

CHNG	BULL	CONTRACT NUMBER	1337	
ORDR	NUM	ORIGINAL CONTRACT PRICE		\$7,193,700.00
NUM		APPROVED CHANGE ORDERS		\$93,962.00
<b>ADJUSTED CONTRACT PRICE TO DATE</b>				<b>\$7,287,662.00</b>
003	1337-002A	Western parking areas revised to allow CFD vehicles use of vacated Vanderpoel Ave to enhance response time to northbound emergency calls and to coordinate CDOT recommendations for parking access and signalization plans for 95th Street from St. Charles Ave to the Metra tracks. - (Owner Directed)		\$111,610.00

TOTAL CHANGE ADDITION

**\$111,610.00**

**ADJUSTED CONTRACT PRICE AFTER APPROVAL**

**\$7,399,272.00**

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1337

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



***PUBLIC BUILDING COMMISSION OF CHICAGO***

***BOARD MEETING – July 10, 2007***

***LIQUIDATED DAMAGES***

**PUBLIC BUILDING COMMISSION OF CHICAGO  
 NUMERICAL SUMMARY FOR LIQUIDATED DAMAGES  
 7/10/07**

CONTR.	PROJECT	CONTRACTOR	LIQUIDATED DAMAGES	ADJUSTED CONTRACT PRICE	COMMENTS	PAGE NO.
1309	Title II ADA Olive Harvey & Wright College	G.F. Structures	\$ (7,854.00)	\$ 988,994.16	Liquidated Damages amount to be applied to Skill Builders	1
	<b>TOTAL</b>		\$ (7,854.00)	\$ 988,994.16		

Liquidated Damages  
7/10/2007

Contractor:	G.F. Structures		
Project:	ADA Olive Harvey/ Wright College		
Contract:	1309		
	Goal %	Achieved %	Amount Assessed
WBE	5	7	\$0.00
MBE	25	20	\$0.00
	% of total worker hours:		Amount Assessed
	Goal %	Achieved %	
City Residency	50	45	(\$2,492.00)
	% of worker type hours:		
	Committed %	*Achieved %	Amount Assessed
<b>Minority:</b>			
Journeyman	50	50	\$0.00
Apprentice	50	81	\$0.00
Laborer	50	97	\$0.00
<b>Female:</b>			
Journeyman	10	7	(\$5,362.00)
Apprentice	10	12	\$0.00
Laborer	10	10	\$0.00
Total assessed:			(\$7,854.00)
Adjusted contract amt:			\$988,994.16

\*Includes community hiring bonus

# PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER

ADA-Olive Harvey

7/10/2007

**G.F. Structures Corporation**  
**4655 West Arthington Street**  
**Chicago, Illinois 60644**

CHNG	BULL	CONTRACT NUMBER	1309	
ORDR	NUM	ORIGINAL CONTRACT PRICE		\$1,135,375.17
NUM		APPROVED CHANGE ORDERS		\$(342,144.86)
<hr/>				
<b>ADJUSTED CONTRACT PRICE TO DATE</b>				<b>\$793,230.31</b>
003	1309-003	Failure to meet economic opportunity goals. - (Owner Directed)		(\$3,777.00)

	<hr/>	
TOTAL CHANGE ADDITION		<b>(\$3,777.00)</b>
<hr/>		
<b>ADJUSTED CONTRACT PRICE AFTER APPROVAL</b>		<b>\$789,453.31</b>

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1309

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

# PUBLIC BUILDING COMMISSION OF CHICAGO

CHANGE ORDER  
ADA Wright College  
7/10/2007

G.F. Structures Corporation  
4655 West Arthington Street  
Chicago, Illinois 60644

CHNG	BULL	CONTRACT NUMBER	1309	
ORDR	NUM	ORIGINAL CONTRACT PRICE		\$268,606.17
NUM		APPROVED CHANGE ORDERS		\$(64,988.32)
<hr/>				
<b>ADJUSTED CONTRACT PRICE TO DATE</b>				<b>\$203,617.85</b>
003	1309-003	Failure to meet economic opportunity goals. - (Owner Directed)		(\$4,077.00)

TOTAL CHANGE ADDITION

(\$4,077.00)

**ADJUSTED CONTRACT PRICE AFTER APPROVAL**

**\$199,540.85**

All interested parties are hereby notified that the Change Order listed above shall apply to Contract No. 1309

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 2007

Project Name	Service	Assigned PM	PM	MA	EX DIR	Firm	\$Total	Comments
PBCC Administration	Temp work for Finance Dept	D. McNabb	X	X	X	Accountemps	\$1,911.15	
PBCC Administration	Purchase fax machine and All-in-One Fax/Printer/Scanner	B. Campney	X	X	X	CDW-G	\$653.97	
Little Village High School Fire Station E-18	Reproduction of Documents	J. Chamlin J. Gallagher	X	X	X	Cushing & Company	\$885.08	