

**PUBLIC BUILDING COMMISSION OF CHICAGO**  
**MINUTES OF THE REGULAR MEETING OF THE**  
**BOARD OF COMMISSIONERS HELD ON FEBRUARY 13, 2018**

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 February 13, 2018 at 2:30 P.M.

The following Commissioners were present:

Olga Camargo  
Frank M. Clark  
James F. Ellis, Jr.  
Jose G. Maldonado, Jr.  
Toni Preckwinkle  
Arnold Randall  
Samuel Wm. Sax  
Mariyana Spyropoulos  
David Todd Whittley - 9

Also present was:

Carina E. Sánchez

G. Blakemore	L. Lypson	F. Rico
J. Borkman	L. McGuire	K. Robinson
P. Doyle	A. Marti	J. Rodriguez
R. DuRussel	P. Montenegro	E. Scanlan
A. Fredd	L. Neal	E. Fisk-Smith
K. Heneghen	K. Newman	B. Tomlins
L. Giderof	E. O'Keefe	T. Foucher-Weekley
R. Giderof	B. Payne	A. Wiggins
C. Johnson	N. Perez	M. Witry
A. Joseph	K. Purcell	
K. LaJeune	A. Quathamer	

In the absence of Chairman Rahm Emanuel, the meeting was called to order by Commissioner Sax, and the presence of a quorum was established.

Following the roll call, a public participation period was conducted pursuant to Section 2.06(g) of the Open Meetings Act. Kenneth Newman and George Blakemore had previously

registered to provide comments under the guidelines established by Resolution No. 7611 approved by the Board of Commissioners on January 11, 2011. Kenneth Newman provided comments regarding the review of schools and parks in the City of Chicago without track facilities, and the need to provide more athletic facilities so that community residents would become more physically fit. George Blakemore provided comments regarding Black History Month and the need for governmental bodies to allow citizens the opportunity to provide public comments.

Next, the Acting Chair presented to the Board of Commissioners for consideration of approval the minutes of the meeting held on January 9, 2018. The reading of said minutes, which had previously been distributed, was dispensed with and upon motion duly made and seconded, the minutes of the January 9, 2018 meeting were unanimously approved.

The next item on the agenda was a report by Commissioner Maldonado regarding the Administrative Operations (AO) Committee meeting held on February 1, 2018 which is summarized as follows:

The Chief of Staff reported on the following recommendations:

Task order awards for Material Testing services as follows:

- Flood Testing Laboratories, a Women Business Enterprise firm, in the sum of \$14,500 for the Lincoln Park High School Renovation Project.
- Terracon Consultants, Inc. in the sum of \$50,830 for the Read Dunning School Site Prep Project.
- SEECO Consultants in the sum of \$158,814 for the Skinner West Elementary School Annex Project.

A task order award for Architect of Record services to Studio ARQ, LLC, a Minority Business Enterprise firm, in the sum of \$18,750 for the Ebinger Elementary School Annex Project.

The Partial Guaranteed Maximum Price (GMP) in the sum of \$26,629,916.47 for Design Build Services for Old Veteran Construction, Inc., a Minority Business Enterprise firm,

for the Richard J. Daley College Engineering and Advanced Manufacturing Center Project.

A recommendation to adopt the City of Chicago's agreement with Catalyst Consulting Group, a Minority Business Enterprise firm, to provide Information Technology and related services to the PBC.

A recommendation to approve amendments to term agreements with FH Paschen, SN Nieslen & Associates, McDonagh Demolition, Inc. and Leopardo Companies, Inc. for Program-wide Job Order Contracting (JOC) services for facility renovation and site work development. This amendment is for time only and extends the term of the Agreements through December 31, 2019.

A recommendation to approve an amendment to the Architect of Record agreement with Architrave, a Minority Business Enterprise firm, in the sum of \$9,500. This amendment represents additional design and engineering services required for the reconstruction of the southwest asphalt lot and removal of abandoned playground foundations at the Jamieson Elementary School Annex Project.

The Chief Development Officer reported on seven field orders issued on various projects. He also provided a recommendation to approve a close out change order credit in the sum of (\$233,716.86) for liquidated damages for the Richardson Middle School Project.

The AO Committee accepted the recommendations and reports from the PBC representatives.

A copy of the Task Order Report is attached hereto as Exhibit "A."

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

**RESOLUTION NO. 8431**

**BE IT RESOLVED** by the Board of Commissioners of the Public Building Commission of Chicago that the Executive Director is hereby authorized to approve amendments to professional services agreements as for the projects and services as indicated on the document entitled, "Proposed Amendment Report to the Administrative Operations Committee" and attached to the minutes of this meeting as **Exhibit "B"**.

**Commissioners voting in the affirmative:**

Olga Camargo, Frank M. Clark,  
 James F. Ellis, Jr., Jose Maldonado, Jr.,  
 Toni Preckwinkle, Arnold Randall,  
 Samuel Wm. Sax, Mariyana Spyropoulos and  
 David Todd Whittley – 9

**Commissioners voting in the negative:**

None

**RESOLUTION NO. 8432**

**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 to the construction contracts for the projects and services as indicated on the document entitled, “Proposed Change Order Report to the Administrative Operations Committee” and attached to the minutes of this meeting as **Exhibit “C”**.

**Commissioners voting in the affirmative:**

Olga Camargo, Frank M. Clark,  
 James F. Ellis, Jr., Jose Maldonado, Jr.,  
 Toni Preckwinkle, Arnold Randall,  
 Samuel Wm. Sax, Mariyana Spyropoulos and  
 David Todd Whittley – 9

**Commissioners voting in the negative:**

None

The next item on the agenda was a report by Commissioner Whittley regarding the Audit Committee meeting held on February 1, 2018 which is summarized as follows:

The Director of Finance reported that the PBC received a *Certificate of Achievement for Excellence in Financial Reporting* from the Government Finance Officers Association for the 2016 Fiscal Year Comprehensive Annual Financial Report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting. Its attainment represents a significant accomplishment by a government entity and its management.

The Audit Committee approved the appointment of Deloitte & Touche LLP (Deloitte) to prepare the Basic Financial Statements for 2017 and to provide an Independent Auditor’s

report for a fee not to exceed \$165,000. Deloitte formally described the audit planning process that will be undertaken for 2017 including: the engagement team, innovation tools, significant risks that must be considered during the audit, required communications on audit planning, audit timeline, technical updates and available resources. The timely completion of the audit is anticipated, in compliance with the requirements of the CAFR Program.

The Office of the Inspector General of the City of Chicago reported that it is in the reporting phase of the PBC Change Order Audit.

The Audit Committee accepted the reports from the Director of Finance, Deloitte and the Office of the Inspector General.

An Executive Session was convened for the purpose of presentation of Reports by Sharon Jones, Independent Monitor with respect to F.H. Paschen, S.N. Nielsen & Associates. No action was taken in executive session that required a vote by the Audit Committee.

The Audit Committee report was accepted and the following resolution was approved on motion duly made and seconded:

**RESOLUTION NO. 8433**

**BE IT RESOLVED** that the Board of Commissioners of the Public Building Commission hereby appoints Deloitte & Touche LLP as independent auditor to prepare the Basic Financial Statements for the Public Building Commission's and to provide an Independent Auditor's Report for the year ended December 31, 2017 at a fee, including expenses, not to exceed \$165,000.00.

**Commissioners voting in the affirmative:**

Olga Camargo, Frank M. Clark,  
James F. Ellis, Jr., Jose Maldonado, Jr.,  
Toni Preckwinkle, Arnold Randall,  
Samuel Wm. Sax, Mariyana Spyropoulos and  
David Todd Whittley – 9

**Commissioners voting in the negative:**

None

The next item on the agenda was a report by the Executive Director regarding Notice of Award for contracts \$25,000 and under. The Executive Director advised the Commissioners that one contract had been awarded pursuant to her authority for the procurement of services and

supplies necessary to carry out the purposes of the Public Building Commission in an amount under \$25,000. The report was accepted, and a copy of the report is attached hereto as Exhibit “D.”

Next, the Commissioners were presented with consideration of approval of the adoption of the City of Chicago’s agreement with Catalyst Consulting Group (“Catalyst”), an MBE firm, for Information Technology and related services for the Public Building Commission. The Commissioners were advised that the City of Chicago had entered into an agreement with Catalyst following a Target Market procurement process based upon the firm’s qualifications, experience and personnel. The City’s contract with Catalyst was preceded by an assessment and evaluation of the capabilities of information of 35 technology firms. The Commission requested authority to adopt the City’s contract with Catalyst which expires on July 31, 2021 on a task order basis in an amount not to exceed \$250,000.00. Upon motion duly made and seconded, the following resolution was adopted:

**RESOLUTION NO. 8434**

**BE IT RESOLVED** that the Board of Commissioners of the Public Building Commission hereby approves the adoption of an agreement between the City of Chicago and Catalyst Consulting Group to provide information technology and related services to the Public Building Commission in an amount not to exceed \$250,000.00.

**BE IT FURTHER RESOLVED** that the Executive Director of the Public Building Commission is hereby authorized and directed to undertake such actions and to execute such documents, upon approval by Legal Counsel as to form and legality, as may be necessary and appropriate in order to effectuate this Resolution.

**Commissioners voting in the affirmative:**

Olga Camargo, Frank M. Clark,  
James F. Ellis, Jr., Jose Maldonado, Jr.,  
Toni Preckwinkle, Arnold Randall,  
Samuel Wm. Sax, Mariyana Spyropoulos and

David Todd Whittley – 9

**Commissioners voting in the negative:**

None

The next item on the agenda was a report by the Executive Director regarding regular reports, development status and other matters. She noted that her one year anniversary as Executive Director of the Public Building Commission has passed and that much had been accomplished during her tenure. She also provided a “power point” presentation that highlighted several projects including: Whitney Young Branch Library Addition and Renovation “Hard Hat Tour” and Certificate of Achievement for Excellence in Financial Reporting for year ended December 31, 2016, which has been issued to the Public Building Commission for eight consecutive years. PBC’s Director of Finance, Tonya Foucher-Weekley, and her staff were commended for their efforts.

At the conclusion of the discussion, the report by the Executive Director was accepted.

Next, the Board of Commissioners was presented with consideration of approval to award Contract No. C1592 to O.C.A. Construction, Inc. for the fabrication and installation of a modular building at the Columbia Explorers Academy located at 4520 South Kedzie Avenue. There was extensive discussion among the Commissioners and inquiries to staff of the Chicago Public Schools regarding the award of this contract including, various aspects and features of the proposed modular building, overcrowding at the current facility, site conditions, schedule and budget. Upon motion duly made and seconded, the following resolution was adopted:

**RESOLUTION NO. 8435**

**NOW, THEREFORE,** it is hereby resolved that consideration of approval to award Contract No. 1592, Columbia Explorers Academy located at 4520 South Kedzie Avenue is hereby deferred.

**Commissioners voting in the affirmative:**

Olga Camargo, James F. Ellis, Jr.,  
 Jose Maldonado, Jr., Toni Preckwinkle,  
 Arnold Randall, Samuel Wm. Sax,  
 Mariyana Spyropoulos and David Todd Whittley – 8

**Commissioners voting to abstain:**

Frank M. Clark - 1

**Commissioners voting in the negative:**

None

The next item on the agenda was consideration of approval of a request from the Board of Education to transfer and convey property located at two former school sites to designated grantees as identified and approved in the corresponding Board Reports, namely:

<b>Former School Name</b>	<b>Address</b>	<b>Successful Bidder</b>	<b>Sale Price</b>
Former Frances Scott Key Elementary School	517-535 North Parkside	The Field School	\$175,000.00
Former Garrett A. Morgan Elementary School	8407 South Kerfoot Avenue	Pilgrim Baptist Church of South Chicago	\$55,000.00

According to the corresponding Board Reports, the property is no longer needed for school use and is being sold “as is, where is”. The respective quit claim deeds will include restrictive covenants as set forth in the respective Board Reports. On motion duly and made, the following resolution was adopted:

**RESOLUTION NO. 8436**

**BE IT RESOLVED** by the Board of Commissioners of the Public Building Commission that the request from the Chicago Board of Education for the Public Building Commission to transfer title to the following-described property to the designated grantees as approved by the Chicago Board of Education is hereby approved:



**Name of Facility:** Former Frances Scott Key Elementary School  
**Property Address:** 517-535 N. Parkside  
**Permanent Index Numbers:** 16-08-223-001, -002, -003 and -004  
**Grantee:** The Field School  
**Purchase Price:** \$175,000.00  
**Board Report:** 18-0124-OP1  
**Legal Description:** LOTS 2 TO 12, AND VACATED ALLEY IN LOCK 2 IN AUSTINVILLE, BEING AUSTIN AND MERRICK'S SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**Name of Facility:** Former Garrett A. Morgan Elementary School  
**Property Address:** 8407 S. Kerfoot Avenue  
**Permanent Index Numbers:** 20-33-301-061, 20-33-301-063, 20-33-301-064; 20-33-301-023-0000, 20-33-304-007-0000  
**Grantee:** Pilgrim Baptist Church of South Chicago  
**Purchase Price:** \$55,000.00  
**Board Report:** 18-0124-OP2  
**Legal Description:** PARCEL 1:  
 LOTS 34 TO 67, INCLUSIVE, AND THE SOUTH 9 FEET OF LOT 33, IN BIRKHOFF'S ADDITION TO AUBURN PARK IN SECTION 33, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS, AND VACATED ALLEYS.

**VACATED ALLEYS ALSO DESCRIBED AS FOLLOWS:**

**ALL OF THE TWO NORTHEASTERLY-SOUTHEASTERLY 16 FOOT VACATED ALLEYS ADJOINING LOTS 41-46 BOTH INCLUSIVE, AND ADJOINING LOTS 47 TO 52, BOTH INCLUSIVE, TOGETHER WITH ALL THAT PART OF THE NORTHWESTERLY-SOUTHWESTERLY 16 FOOT PUBLIC ALLEY LYING SOUTHWESTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOTS 33 TO 41 BOTH INCLUSIVE AND SOUTHWESTERLY LINE OF LOT 46 AND**

**SAID SOUTHWESTERLY LINE EXTENDED NORTHWESTERLY, LYING NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF LOTS 52 60 62, BOTH INCLUSIVE, AND LYING SOUTHWESTERLY OF THE NORTHWESTERLY 16 FEET OF SAID LOT 33 EXTENDED TO LOT 63, ALL IN BIRKHOFF'S ADDITION, AFORESAID.**

**PARCEL 2:**

**LOT 68 AND THE SOUTH HALF OF LOT 69 BIRKHOFF'S ADDITION TO AUBURN PARK IN THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN.**

**PARCEL 3:**

**LOTS 92 TO 97, BOTH INCLUSIVE, ALL IN SAID SUTHERLAND'S SUBDIVISION OF PART OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN.**

**BE IT FURTHER RESOLVED** that the Public Building Commission hereby authorizes and directs the Executive Director and appropriate officials of the Public Building Commission to undertake such actions and to execute, upon approval by Legal Counsel as to form and legality, quit claim deeds and such additional documents as may be necessary and appropriate in order to effectuate this Resolution.

**Commissioners voting in the affirmative:**

Olga Camargo, Frank M. Clark,  
James F. Ellis, Jr., Jose Maldonado, Jr.,  
Toni Preckwinkle, Arnold Randall,  
Samuel Wm. Sax, Mariyana Spyropoulos and  
David Todd Whittley – 9

**Commissioners voting in the negative:**

None

Next, the Board of Commissioners was presented with consideration of approval to award Contract No. C1593 to Burling Builders, Inc. for construction of the Williams Park Fieldhouse located at 2820 South State Street. Seven (7) responsive bids were received from duly pre-qualified Class A and Class B general contractors deemed eligible to bid as a result of the bid solicitation. Upon motion duly made and seconded, the following resolution was adopted:

**RESOLUTION NO. 8437**

**WHEREAS**, pursuant to bid solicitations from duly pre-qualified Class A general construction firms, the Public Building Commission of Chicago received the following bids for Contract No. 1593, Williams Park Fieldhouse located at 2820 South State Street, copies of which bids and contract documents are on file with the Commission:

<b><u>BIDDER</u></b>	<b><u>BASE BID</u></b>	<b><u>AWARD CRITERIA</u></b>
Burling Builders, Inc.	\$7,393,000.00	\$7,052,922.00
F.H. Paschen, S.N. Nielsen & Associates, LLC	\$7,531,000.00	\$7,135,622.50
KRM/KED-Joint Venture	\$7,683,000.00	\$7,269,654.60
Old Veteran Construction, Inc.	\$7,732,958.00	\$7,455,345.00
Path Construction Company, Inc.	\$7,936,472.00	\$7,626,949.59
John Burns Construction	\$7,855,000.00	\$7,670,407.50
Reliable & Associates Construction Company	\$7,998,800.00	\$7,938,808.00

**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. 1593 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 hereby awards to Burling Builders, Inc., Contract No. 1593, Williams Park Fieldhouse Project located at 2820 South State Street, pursuant to the terms thereof for the total contract price of \$7,393,000.00 (inclusive of Contingency and Allowances), and authorizes and directs the appropriate officers of the Public Building Commission of Chicago to take such action as may be required or advisable in order to consummate the award and to execute the contract.

**BE IT FURTHER RESOLVED** that the Public Building Commission of Chicago does hereby approve a payment and performance bond to be supplied in the form set forth in the contract documents comprising Contract No. 1593, subject to the completion and delivery to the Commission of said form of bond by Burling Builders, Inc. and Liberty Mutual Insurance Company, as surety, in the principal amount of \$7,393,000.00 (inclusive of Contingency and Allowances) and the Chairman is hereby authorized and directed to signify approval by the Commission of the fully executed bond.

**Commissioners voting in the affirmative:**

Olga Camargo, Frank M. Clark,  
James F. Ellis, Jr., Jose G. Maldonado, Jr.,  
Toni Preckwinkle, Arnold Randall,  
Samuel Wm. Sax, Mariyana T. Spyropoulos  
and David Todd Whittley – 9

**Commissioners voting in the negative:**

None

Finally, the Executive Director provided a report regarding the Partial Guaranteed Maximum Price (GMP) agreement for Design Build services with Old Veteran Construction for the Richard J. Daley College Engineering and Advanced Manufacturing Center Project located at 4101 West 76<sup>th</sup> Street. She advised the Commissioners that, following a review of scope, schedule, budget and other project factors, a Partial GMP (Amendment No. 1) has been negotiated with Old Veteran Construction for various services including design and construction in the sum of \$26,629,916.47.

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

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Secretary

APPROVED:

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Chairman