



DEKALB COUNTY PUBLIC BUILDING COMMISSION
A MUNICIPAL CORPORATION AND BODY POLITIC ORGANIZED PURSUANT TO THE "PUBLIC BUILDING
COMMISSION ACT." ILLINOIS REVISED STATUTES 1977 CHAPTER 85, SECTIONS 1031 THROUGH 1054
CHAPTER 85, SECTIONS 1031 THROUGH 1054
AND CURRENTLY UNDER ILLINOIS COMPILED STATUTES 50 ILCS 20/1 et seq.

MEETING OF TUESDAY, APRIL 14, 2009

A regular meeting of the Board of Commissioners of the DeKalb County Public Building Commission (hereinafter "Commission") was held Tuesday, April 14, 2009, at 8:30 A.M. in the Freedom Conference Room of the DeKalb County Government Legislative Center, pursuant to written notice to each Commissioner as required by the By-Laws.

ROLL CALL

The meeting was called to order by Chairman Robert Hutcheson at 8:30 A.M. Commissioners present were Chairman Hutcheson, Mr. Beryl Smith, Dr. Richard Baker, Mr. Matt Swanson, and Mr. George Daugherty. Also present were Mr. Gary Hanson, Treasurer, Mr. Jim Scheffers, Mr. Matt Bickel of Wold Architects and Engineers, Mr. Henry Gauwitz, Director of Great Plains Laborers Cooperation and Education Trust, and Ms. Mary Simons, Secretary. Mr. Gary Daub of Rockford Structures and Mr. Bill Bauman of Commercial Carpet Company joined the meeting during the discussion regarding the Responsible Bidder Ordinance.

APPROVAL OF MINUTES

Chairman Hutcheson called for a motion to approve the minutes for the meeting held on Tuesday, March 3, 2009. Mr. Smith made a motion to approve the minutes and Dr. Baker seconded the motion. The motion was approved.

APPROVAL OF AGENDA

Dr. Baker requested to add an item to the agenda for the purpose of discussing energy opportunities. The Chairman called for a motion to approve the agenda with the addition of Item 7-A Discussion of Energy Opportunities. The motion was made by Dr. Baker and seconded by Mr. Swanson. The motion was approved.

DISCUSSION: RESPONSIBLE BIDDER ORDINANCE

Mr. Swanson introduced his guest Mr. Henry Gauwitz the Director of Great Plains LECET. Mr. Gauwitz distributed a manual published by LECET through a joint Labor-Management Initiative of the Laborers' International Union of North America. (A copy of the manual has been made a part of these minutes.) Mr. Gauwitz explained that the manual contains the same information as in today's visual presentation which describes the purpose of an ordinance by a governing body responsible for the construction and maintenance of tax supported construction projects and as contained in Public Act 093-0642 which was effective June 1, 2004. Mr. Gauwitz described the Counties, Cities, Villages and other Boards who have passed a responsible bidder ordinance. He went on to explain the contents of the manual which includes a sample ordinance and letters of endorsement from various public officials. Mr. Gauwitz explained that the intent of the ordinance is to put everyone on a level playing field and to provide that all participants fulfill their obligation as a bidder and that no laws have been violated. Following the presentation the Commissioners discussed the various aspects outlined in the ordinance with emphasis on item number five containing language concerning "training and apprenticeship" programs. After a lengthy discussion, Dr. Baker requested a re-draft of the original tabled ordinance along with an evaluation of the incremental facet of the report and the requirements of the County for oversight purposes and to include how the monitoring would be done. Mr. Swanson suggested that the

County Board take up the issue and have the same type of discussion regarding the specific language to be used in the ordinance and how the ordinance would affect future projects assigned to the PBC. Dr. Baker stated that he felt the only option at this point is to support or not support the general idea of a responsible bidder ordinance to be considered by the County board. Mr. Daugherty requested time to study the proposed ordinance to give him an opportunity to formulate his questions prior to taking a position. Mr. Smith commented that a draft ordinance was presented to the Commission and subsequently tabled prior to Mr. Daugherty's appointment to the Commission. Mr. Smith suggested that Mr. Daugherty be given time to review the draft and the minutes concerning this issue. Mr. Daugherty stated that he was unaware that a draft ordinance has been previously presented and discussed. (The Secretary was instructed to provide such information to Mr. Daugherty) Mr. Smith further explained that the draft ordinance contained a section which included project limitations for a dollar amount prior to such an ordinance becoming effective. It was the consensus of the Commissioners to have the opportunity for further study. Dr. Baker suggested that he would provide, via email to the Secretary, possible language to be considered by the Commissioners for a future motion to be presented to the County Board. At this time Mr. Gauwitz left the meeting.

COMMUNITY OUTREACH BUILDING

PROJECT STATUS: Mr. Bickel distributed copies of the punch list dated March 2, 2009 (attached as Exhibit "A") Mr. Bickel stated that the items outlined in dark grey have all been addressed. He discussed the items highlighted in yellow with explanations for each of the items adding that retainage is being held. The work is to be completed as soon as the weather permits. Regarding the issue of the cracks appearing in the stone wall, Mr. Bickel said that he has contacted the Owens Corning Company, the manufacturer for the cultured stone veneer used in the main corridor of the building. He stated that they sent a representative here to inspect the cracking problem. The representative was not sure of the cause but thought it might be due to the building settling over the winter months. He also felt the cracking would not affect the structural integrity of the wall. Mr. Bickel added that they are waiting to see if any additional cracking occurs. In the meantime they will send out a technician to use a patch repair kit specifically designed for this purpose. Another major issue discussed by Mr. Bickel was the sinking of the west driveway and parking lot. Mr. Bickel stated that their civil engineer will advise us on the best method to correct this situation. He added that retainage is being held for this purpose. Mr. Bickel then described the conflict between Rockford Structures and Maryott and said that Maryott did not fulfill the requirements of the contract and Rockford Structures hired another contractor to complete the work. He added that Maryott has chosen to resolve the matter in court and has additionally named the PBC in its case. Mr. Bickel added that the full value of the lien is being held. Mr. Bickel stated that item #34 which is shown as a lien on the punch list is in error and is really not a lien but rather a FOIA request. However, the funds are shown as being retained but will be paid out within the pay requests for today. Mr. Bickel said that the additional items on the punch list with regard to heating issues are being addressed and they are working with Jim Scheffers to resolve them. All other minor issues were explained by Mr. Bickel.

It is noted that Mr. Gary Daub from Rockford Structures was present and was available to respond to any of the Commissioner's questions regarding the progress and status of the construction of the Community Outreach Building. Mr. Bill Bauman of Commercial Carpet Company was present to express his frustration with the payout process used by Wold and the delay in receiving payment. Mr. Bickel assured Mr. Bauman that all issues have been resolved and full payment has been submitted by Rockford Structures for approval today.

PAY REQUESTS: Mr. Bickel recommended the following payouts: Rockford Structures the amount of \$166,735.58 with an additional amount of \$38,097.67 to be held as retainage, G'sR Plumbing a payout of \$30,095.00 which is a final payment, a payout to MG Mechanical of \$35,046.34 with the amount of \$20,916.16 to be held as retainage and Automatic Fire Systems the amount of \$5,449.00 with \$2,160 to be held for retainage. A motion to approve these payouts was made by Mr. Daugherty and the motion was seconded by Mr. Swanson. The motion was approved.

CHANGE ORDERS: Mr. Bickel stated that two credits by Mascal Electric are still an issue. He added that during negotiations, it does not appear that Mascal Electric is willing to increase their offer and the only other option is to hold them to their bid to complete the work in the Storage Area. Mr. Bickel said that Mascal will not give a lower bid than the amount they are offering as a credit. Mr. Daugherty asked if Mascal is delaying the project. Mr. Hanson responded that they are not delaying the Storage project since it has not been bid and will not be until sometime in May. It was suggested that we have Mascal install the lights when the project is ready for the amount of the credit they offered.

OPEN HOUSE: Mr. Hanson reported that the Open House for the Community Outreach Building will be held on Tuesday, May 12, 2009 from 4:30 P.M. to 7:00 P.M. Mr. Hanson extended an invitation to all the Commissioners to assist in hosting this event. He added that refreshments will be served.

STATUS OF THE 2009 PBC PROJECTS AND DISCUSSION ON ENERGY OPPORTUNITIES

Due to the length of this meeting, Item number 7 on the agenda, the Status of the 2009 PBC Projects and item 7A Discussion on Energy Opportunities, will be delayed until the next PBC meeting.

NEW/OLD BUSINESS

The next meeting will be held AT 8:30 A.M. on Tuesday, May 5, 2009 Conference Room East.

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting and Dr. Baker seconded the motion. The motion carried unanimously by a voice vote. Meeting adjourned at 11:08 A.M.

Robert Hutcheson, Chairman

Mary G. Simons, Secretary

<u>Commissioner</u>	<u>Expiration of Term</u>	<u>Office</u>	<u>Original Appointment</u>
Mr. Robert Hutcheson	September 30, 2009	Chairman	January 16, 1991
Mr. Matt Swanson	September 30, 2012	Vice Chairman	September 19, 2007
Mr. Beryl Smith	December 01, 2010		September 30, 2000
Dr. Richard Baker	September 30, 2011		September 30, 2005
Mr. George Daugherty	September 30, 2013		September 30, 2008
<u>Non-Commissioner:</u>			
Ms. Mary G. Simons	September 30, 2009	Secretary	March 7, 2000
Mr. Gary H. Hanson	September 30, 2009	Treasurer	February 18, 1984