

MINUTES OF THE MONTHLY MEETING
OF THE
PUBLIC BUILDING COMMISSION OF McLEAN COUNTY, ILLINOIS

Tuesday, March 6, 2018, 3:30 p.m. CDT

The Regular Meeting of the Public Building Commission of McLean County, Illinois (the "Commission") was called to order by Chairman Novosad on March 6, 2018 in Room 404 of the Government Center, 115 East Washington Street, Bloomington, McLean County, Illinois.

Secretary Morel called the roll with the following members answering "present": Messrs. Novosad, Zimmerman, Morel, Funk, Good, and Schultz. Messrs. Farnsworth, Harris, and Reid were absent.

Also present were Commission Attorney Robert Porter; Commission Treasurer James Mulligan; McLean County Director of Administrative Services Eric Schmitt; Mr. Jack Moody; Project Manager John Bishop of the Farnsworth Group, Inc.; and Project Manager Matt Brown of River City Construction, LLC.

No members of the media, press, and/or radio were present.

Chairman Novosad presented the Minutes of the February 6, 2018 Regular Meeting of the Commission for approval. Chairman Novosad asked if there were any corrections, additions, and/or revisions to the Minutes. Hearing none, Chairman Novosad asked for a Motion to approve the Regular Meeting Minutes. It was moved by Mr. Good and seconded by Mr. Zimmerman that the Minutes of the February 6, 2018 Regular Meeting be approved as submitted. Chairman Novosad called for a vote on the Motion to approve the Minutes and the Motion was unanimously approved by voice vote.

Chairman Novosad next asked Commission Treasurer James Mulligan to present the Treasurer's Report for the fiscal year as well as update the Commission on the status of its Fiscal Year 2017 Audit Report and Annual Financial Report. Mr. Mulligan initially noted that the activity on the Treasurer's Report primarily reflected the payment of River City Construction invoices. Mr. Mulligan then indicated that the Commission had a sufficient amount of funds in its Project Fund checking account at Morton Community Bank to cover River City Construction invoices through July 2018.

Mr. Mulligan next stated that the Commission's U.S. Treasury Money Market Fund at Heartland Bank & Trust Co. posted a two hundred thirty-four thousand dollar and 00/100

(\$234,000.00) loss. However, Mr. Mulligan noted that this was not a concern as all Treasuries were being held to maturity. Mr. Mulligan indicated that the Treasuries were all held in two hundred fifty thousand dollar and 00/100 (\$250,000.00) increments and that the last issues would mature in 2022.

With respect to the Audit Report and Annual Financial Report, Mr. Mulligan stated that he and Commission Attorney Robert Porter met with Dawn Carlson of Sulaski & Webb, CPAs last week to discuss the same. Mr. Mulligan noted that he, Mr. Porter, and Ms. Carlson identified several issues with reporting the accrued bond interest that required further investigation. Mr. Mulligan then stated that he and Mr. Porter met with Paul Brown and Kevin Wills of First Midstate, Inc. to obtain some clarification on this point. As a result, Mr. Mulligan noted that the Audit Report and Annual Financial Report would not be ready for Commission action until April. Mr. Mulligan stated that Ms. Carlson would give a brief presentation to the Commission at that time.

Mr. Funk asked Mr. Mulligan whether the bond premium would be amortized to the bond call date on the Audit Report and Mr. Mulligan responded in the affirmative.

Chairman Novosad asked Mr. Mulligan when the Commission needed to file its Annual Financial Report with the Illinois State Comptroller's Office and Mr. Mulligan responded by noting that the filing date is March 28th.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Mulligan on the Treasurer's Report. Hearing none, Chairman Novosad asked for a Motion to approve the Treasurer's Report and proposed payments as submitted. It was moved by Mr. Good and seconded by Mr. Funk that the Treasurer's Report and proposed payments be approved as submitted. Upon a roll call vote, all Commissioners voted in favor of the Motion.

The Commission having no "Old Business," Chairman Novosad turned to the Commission's "New Business" and asked Mr. Jack Moody, County Director of Administrative Services Eric Schmitt, Project Manager John Bishop of the Farnsworth Group, and Project Manager Matt Brown of River City Construction to discuss the McLean County Law & Justice Center Expansion Project.

Mr. Jack Moody initially noted that the most recent Project construction meeting between representatives of the Farnsworth Group, River City Construction, and McLean County took place last week. Mr. Moody then indicated that the new Jail facility's elevator shafts and stairwells were currently under construction. Mr. Moody further stated that fireproofing work, exterior glazing work, and the framing of the new Jail facility's penthouse were also currently underway. Mr. Moody lastly stated that the mechanical and electrical rough end work and interior air barriers would be installed within the next thirty (30) days.

Project Manager John Bishop relayed to the Commission that the Farnsworth Group had recently obtained pricing for the needed floor leveling work in the existing Jail facility. Mr. Bishop stated that the projected cost was in the amount of three hundred forty-nine thousand eight hundred

twenty-nine dollars and 33/100 (\$349,829.33). Mr. Bishop then showed the Commission a diagram of the existing layout of the north-end of the existing Jail facility and noted that the floor pitches up from the back of the cells to the east. Mr. Bishop noted that this pitch became very visible when the C-Block walls were taken down. Mr. Bishop stated that it was necessary to level the floor of the existing Jail for functionality purposes and to comply with the *Americans with Disabilities Act*.

Mr. Bishop stated that the Project stakeholders looked at both lowering and raising the floor in the existing Jail in order to level the pitch. In light of the fact that the floor slopes in three (3) different directions, Mr. Bishop indicated that raising the floor was the only feasible approach. Mr. Bishop stated that the blue areas on the diagram would be leveled. Mr. Bishop noted that this area was slated to become the infirmary and that door locations for the infirmary largely necessitate the work.

Mr. Zimmerman then inquired about the process and material utilized for leveling the floor. Mr. Bishop responded that a resinous floor finish overlay would be poured onto the existing floor, which would level the floor out to zero (0).

Mr. Schultz inquired as to whether the method would be a permanent fix to the problem and Mr. Bishop responded in the affirmative.

Mr. Funk asked whether the infirmary could be located in another area of the Jail. Mr. Bishop indicated that this was not possible as the new Jail facility would be used entirely for housing and the existing Jail facility would become a support facility.

Mr. Good then asked whether raising the floor in the existing Jail would prompt any future changes. Mr. Bishop stated that the work would require a few minor tweaks, but would not require substantive changes.

Mr. Good further inquired as to whether any ordered materials would need to change and Mr. Bishop responded by noting that some of masonry cut would be changed.

Mr. Moody then added that the floor would have had to have been raised had McLean County, the Farnsworth Group, and River City Construction known about the issue from the outset of the Project.

Mr. Good responded by noting that the issue was whether the work could have been done less expensively had the issue been identified earlier.

County Director of Administrative Services Eric Schmitt then stated that River City Construction may not have come up with as efficient a plan had they not discovered the issue while working in the field.

Chairman Novosad then inquired as to whether the floor leveling work would impact the Project schedule and Mr. Bishop indicated that the work would add an additional ten (10) weeks to the renovation schedule. Mr. Bishop stated that much of the delay was due to staging issues and the length of time the resin needs to fully cure.

Mr. Schmitt then asked Mr. Bishop to address how the floor leveling work will actually proceed. Mr. Bishop stated that River City Construction would create a new opening in the exterior wall of the existing Jail facility. Mr. Bishop noted that a temporary bridge would be built to cart the new materials in and out of the facility. Mr. Bishop indicated that the floor leveling would proceed from the north of the building to the south. Mr. Brown clarified that River City Construction would perform demolition work from the south to the north and then level the floor from the north to the south.

Mr. Zimmerman then asked about the amount of contingency funds that would remain after the floor leveling work was completed. Commission Attorney Robert Porter responded first (1st) by noting that the proposed Allowance Authorization Four (4) was in the amount of four hundred thirty-nine thousand one hundred eighty-one dollars and 50/100 (\$439,181.50), of which amount was largely allocated towards the floor leveling work. Once this Allowance Authorization was processed, Mr. Porter noted that the Commission would have three hundred sixty-one thousand eight hundred sixty-four dollars and 01/100 (\$361,864.01) left in the contingency built into the contract. Mr. Porter then reminded the Commission that it was carrying another one million dollars and 00/100 (\$1,000,000.00) in contingency outside of the contract.

Mr. Schmitt then stated that the proposed floor leveling work was the best option for dealing with the problem. Mr. Schmitt stated that once the excavation phase of the Project was completed, it was assumed by the stakeholders that any large, unknown cost would be associated with the renovation phase of the Project. Mr. Schmitt indicated that, after conducting demolition in C-Block, River City Construction now knows what is in the existing Jail facility. Based on the condition of C-Block, Mr. Schmitt stated his belief that there would be no large future surprises.

Chairman Novosad next asked whether a large driver of the cost of the floor leveling work was the extended Project schedule. Mr. Brown responded by noting that the ten (10) week schedule was fairly aggressive. Mr. Brown stated that there is a minimum of eight (8) weeks necessary for the floor leveling and that the leveling had to be done in a minimum of three (3) phases. Mr. Brown stated that it would take another week to construct temporary wall partitions.

Mr. Zimmerman inquired whether River City Construction would mix the resinous materials itself and Mr. Brown responded by noting that the manufacturer would perform the mixing.

Mr. Good then asked whether a subcontractor would be retained to perform the work and Mr. Bishop indicated that a subcontractor already working on the Project would be utilized.

Mr. Good next inquired about the materials that would be placed over the resin flooring and Mr. Brown indicated that a variety of materials would be placed over the flooring including, but not limited to, ceramic carpet and carpet.

Chairman Novosad asked whether the floor leveling work would delay the Project's completion date and Mr. Brown stated that the renovation completion date would occur in June 2019 as opposed to the previously-anticipated April 2019 date.

Chairman Novosad next inquired as to whether the cost of the floor leveling work was still being reviewed and Mr. Bishop responded that he felt that three hundred forty-nine thousand eight hundred twenty-nine dollars and 33/100 (\$349,829.33) was close to final. Mr. Brown added that this figure was being quoted as a unit price as River City Construction was uncertain as to the exact quantity of necessary floor tile.

Mr. Zimmerman then asked as to whether the additional ten (10) weeks of work would impact that Commission's so-called "substantial completion" deadline. Mr. Porter responded by noting that the Commission must spend eighty-five percent (85%) of the proceeds from its Series 2015 Public Building Revenue Bond Issue by October 6, 2018, or three (3) years from the original issue date, per Federal tax law. Mr. Porter stated that this requirement would be met once the new Jail facility is completed and that the new Jail facility is on track to being completed by September 2018.

Mr. Schmitt then noted that he would be further reviewing the Project schedule to determine whether any time could be shaved off the floor leveling work. Mr. Schmitt noted that lessening the schedule could yield some cost savings.

The Commission then stated its consensus that it would like to revisit the floor leveling work in April, but had no objection with River City Construction proceeding with the balance of the work delineated in Allowance Authorization Four (4).

Mr. Bishop then showed the Commission photographs of the new Jail facility's windows, the connecting bridge with its concrete slab base and roof deck, the pipes and hangers inside the new Jail facility, the spray-applied materials and beams in the new Jail facility, the ramp and receiving dock, and the northwest stairwell.

Mr. Brown ultimately noted that the Project remains on target in terms of cost projections.

Chairman Novosad asked if there were any additional questions for Messrs. Moody, Schmitt, Bishop, or Brown regarding the status of the McLean County Law & Justice Center Expansion Project. Hearing none, Chairman Novosad noted that the Commission had received an invoice from the Farnsworth Group on February 28, 2018 in the amount of thirty-seven thousand thirty-five dollars and 75/100 (\$37,035.75). This amount represented the fee incurred by the Farnsworth Group during

the month of February 2018.

Chairman Novosad asked Mr. Moody whether the invoice was in order. Mr. Moody indicated that the invoice was in order and that it represented costs associated with the completion of sixty-five percent (65%) of the Project's construction phase.

Chairman Novosad then asked if there were any questions or comments regarding the Farnsworth Group's February 2018 invoice. Hearing none, Chairman Novosad asked for a Motion to approve payment to the Farnsworth Group in the amount of thirty-seven thousand thirty-five dollars and 75/100 (\$37,035.75) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of February 2018. It was moved by Mr. Zimmerman and seconded by Mr. Funk to approve payment to the Farnsworth Group in the amount of thirty-seven thousand thirty-five dollars and 75/100 (\$37,035.75) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of February 2018. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next noted that the Commission had been presented with an invoice from River City Construction on February 28, 2018 in the amount of two million sixty-four thousand one hundred two dollars and 88/100 (\$2,064,102.88). This amount represented the fee incurred by River City Construction during the month of February 2018. Chairman Novosad asked Mr. Moody whether the invoice was in order and Mr. Moody responded in the affirmative. Chairman Novosad asked Mr. Bishop whether he had approved the invoice and Mr. Bishop responded in the affirmative.

Chairman Novosad then asked if there were any questions or comments regarding River City Construction's February 2018 invoice. Hearing none, Chairman Novosad asked for a Motion to approve payment to River City Construction in the amount of two million sixty-four thousand one hundred two dollars and 88/100 (\$2,064,102.88) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of February 2018. It was moved by Mr. Funk and seconded by Mr. Schultz to approve payment to River City Construction in the amount of two million sixty-four thousand one hundred two dollars and 88/100 (\$2,064,102.88) from the Series 2015 Public Building Revenue Bond Issue's "Project Fund" for services rendered on the Law & Justice Center Expansion Project during the month of February 2018. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad then turned to the publication of a request for proposals for environmental remediation at the McLean County Law & Justice Center and asked Mr. Porter to address the matter. Mr. Porter reminded the Commission that it retained Ideal Environmental Engineering, Inc. to conduct asbestos testing in the existing Jail in October 2016. Mr. Porter noted that Ideal Environmental Engineering tested those areas of the Jail set to be impacted by the renovation phase of the Law & Justice Center Expansion Project. Mr. Porter stated that Ideal

Environmental Engineering's report, which was issued in November 2016, identified the presence of non-friable asbestos in floor tiles and mastics. Mr. Porter noted that the non-friable asbestos cannot be broken up by human pressure and thus its presence in and of itself is not harmful. However, Mr. Porter noted that the non-friable asbestos could be broken apart by the planned demolition work. Mr. Porter thus stated that the asbestos-containing materials in the existing Jail would need to be remediated.

Mr. Porter indicated that the Commission would need to enter into two (2) contracts. Mr. Porter stated that one (1) contractor would perform the asbestos abatement and the other contractor would monitor the environment for the release of asbestos particles during the abatement process. Mr. Porter stated that, by law, the same contractor could not perform both functions. Mr. Porter then reminded the Commission that any contract in excess of twenty thousand dollars and 00/100 (\$20,000.00) must be awarded through public bidding. Mr. Porter indicated that the asbestos abatement and monitoring contracts may exceed twenty thousand dollars and 00/100 (\$20,000.00) and would thus need to be awarded through a public bidding process.

Mr. Porter noted that he and Mr. Schmitt had worked together in preparing an Invitation for Bids and Advertisement for Bids. Mr. Porter next indicated that the work would be carried out in three (3) phases. Mr. Porter stated that the first (1st) phase would begin on April 17, 2018 and would be completed by May 4, 2018. Mr. Porter stated that the second (2nd) phase would begin within two (2) weeks of the Commission requesting the same and would be completed within two (2) weeks. Mr. Porter stated that the third (3rd) phase would occur on an as-needed basis.

Mr. Porter noted that the Commission was being asked to authorize publication of an Advertisement to Bid for the work. Mr. Porter indicated that the *Illinois Public Building Commission Act* required the Commission to run the Advertisement to Bid in *The Pantagraph* once per week for three (3) successive weeks. Mr. Porter noted that successful bidders would be required to post performance and payment bonds, indemnify the Commission and County, and add the Commission and County as additional insureds on their general and excess liability insurance policies. Mr. Porter noted that the bid opening would take place on March 29th at 2:00 p.m. and that a mandatory pre-bid meeting would take place on March 20th at 1:00 p.m. Mr. Porter noted that bid documents would be posted online and sent directly to bidders by Mr. Schmitt.

Mr. Schultz asked whether the three (3) week publication requirement was a sufficient amount of time to secure a contractor and Mr. Porter responded that three (3) weeks was the statutorily-required timeframe.

Mr. Schultz then asked how the asbestos remediation would be funded and Mr. Porter stated that it would be funded out of contingency funds. Mr. Porter added that the Commission has known this work was needed since November 2016.

Chairman Novosad inquired as to why the asbestos monitoring contract was being let for bid

given its likely small dollar amount and Mr. Moody responded by stating that bidding out both contracts was the County's preferred manner of proceeding.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Porter concerning the environmental remediation at the McLean County Law & Justice Center. Hearing none, Chairman Novosad asked for a Motion to approve the publication of Advertisement for Bids in *The Pantagraph* for environmental remediation at the Law & Justice Center. It was moved by Mr. Good and seconded by Mr. Zimmerman to approve publication of Advertisement for Bids in *The Pantagraph* for environmental remediation at the Law & Justice Center. Chairman Novosad called for a vote on the Motion to approve publication of Advertisement for Bids in *The Pantagraph* for environmental remediation at the Law & Justice Center and the Motion was unanimously approved by voice vote.

Chairman Novosad then asked whether any Commissioner had any additional "Other Business" to discuss before the Commission. Hearing no "Other Business," Chairman Novosad asked for a Motion to adjourn. It was moved by Mr. Funk and seconded by Mr. Good that the meeting adjourn and the Motion was unanimously approved by voice vote. The meeting was adjourned at 4:25 p.m. The next regular meeting of the Commission will be Tuesday, April 3, 2018, at 3:30 p.m.

APPROVED:

April 3, 2018



JOHN L. MOREL,
Secretary, Public Building Commission