

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

Tuesday, October 4, 2022, at 3:30 p.m.

The Public Building Commission of McLean County, Illinois (the "Commission") was called to order by Chairman Novosad on October 4, 2022 in Room 404 of the Government Center, 115 East Washington Street, Bloomington, McLean County, Illinois.

Acting Secretary Robert Porter called the roll with the following members answering "present": Novosad, Zimmerman, Schultz, Reid, Fruin, Fazzini, Lee, and O'Grady. Mr. Harris was absent.

Also present were Commission Attorney Robert Porter, Commission Treasurer James Mulligan, Assistant County Administrator Tony Grant, McLean County Board Chairman John McIntyre, Bloomington City Manager Tim Gleason, and Sheila Utterback of Otis Elevator Co.

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

Chairman Novosad began the meeting by welcoming County Board Chairman John McIntyre and Bloomington City Manager Tim Gleason. Chairman McIntyre then thanked the Commission for all of its work. Chairman McIntyre further remarked on the recent retirement of George Farnsworth and noted that Mr. Farnsworth would be missed.

Chairman Novosad next noted that Mrs. Lee was attending her first (1st) Commission meeting and asked Mrs. Lee to introduce herself to the Commission. Mrs. Lee initially stated that she was pleased to be serving on the Commission. Mrs. Lee indicated that she has lived in the Bloomington-Normal area for thirteen (13) years and works at Country Financial.

Chairman Novosad then added that Mr. O'Grady was also attending his first (1st) Commission meeting and asked Mr. O'Grady to introduce himself to the Commission. Like Mrs. Lee, Mr. O'Grady stated that he was pleased to join the Commission. Mr. O'Grady indicated that he had worked at Illinois State University for a number of years. Mr. O'Grady further stated that he had worked with the Economic Development Council and was now working with Cornbelt Energy.

Chairman Novosad next presented the Minutes of the July 5, 2022 Regular Quarterly Meeting of the Commission for approval. Chairman Novosad asked if there were any questions, additions, and/or revisions to the Minutes. Hearing none, Chairman Novosad asked for a Motion to approve the Regular Quarterly Meeting Minutes. It was moved by Mr. Schultz and seconded by Mr. Zimmerman that the Minutes of the July 5, 2022 Regular Quarterly Meeting be approved as submitted. The Motion was unanimously approved by voice vote.

Chairman Novosad next called on Commission Treasurer James Mulligan to present the Treasurer's Report for the Fiscal Year. Mr. Mulligan began his Report by noting that the Treasurer's Report featured interest earnings on a majority of the Commission's bank accounts as of September 30, 2022. Mr. Mulligan added that the interest rates on the Commission's various deposits still lagged behind the Federal Reserve's recent interest rate hikes.

Mr. Mulligan next noted that McLean County was set to make payments to the Commission on all three (3) of its Capital Improvement Agreements on or before November 1, 2022. Mr. Mulligan specifically indicated that the County would be making its first (1st) payment under the Third (3rd) Capital Improvement Agreement on or before November 1st.

In addition to the foregoing, Mr. Mulligan added that the Commission was set to make an interest and principal payment on its Series 2022 Public Building Revenue Bond Issue in the amount of three hundred seventy-seven thousand one hundred sixty-three dollars and 33/100 (\$377,163.33) on or before December 1, 2022. Mr. Mulligan similarly noted that the Commission was set to make an interest and principal payment on its Series 2015 Public Building Revenue Bond Issue in the amount of two million six hundred fifty-four thousand four hundred dollars and 00/100 (\$2,654,400.00) on or before December 1, 2022.

Chairman Novosad then asked Mr. Mulligan as to which account would be used to pay the interest and principal payment due on the Series 2022 Public Building Revenue Bond Issue. In response, Mr. Mulligan indicated that the payment would be made from the Commission's account at PMA Securities, LLC.

Mr. Mulligan next noted that the Commission had recently received the City of Bloomington's final 2022 operations and maintenance payment. Mr. Mulligan added that the Commission was still awaiting receipt of the County's final 2022 operations and maintenance payment.

Mr. Mulligan also indicated that the Commission currently had approximately one million four hundred thousand dollars and 00/100 (\$1,400,000.00) liquid in its account with PMA Securities, LLC. Mr. Mulligan noted that these funds were generating an annual yield of 2.1%.

Mr. Mulligan finally relayed that he had reached out to Renee Brucker of MCK CPAs & Advisors about getting a quote for the performance of the Commission's FY 2022 Audit Report. Mr. Mulligan indicated that there would be a three-percent (3%) increase in the cost of this work over the prior Fiscal Year.

Mr. Fazzini voiced his belief that the Commission should continue to use MCK CPAs & Advisors for the Audit as opposed to issuing a Request for Qualifications. Mr. Fazzini also noted that the Commission was earning a tremendous yield on its liquid funds with PMA Securities, LLC.

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. It was moved by Mr. Fazzini and seconded by Mr. Reid to approve the Treasurer's Report and proposed payments as submitted. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Turning to the Commission's "Old Business," Chairman Novosad asked Commission Attorney Robert Porter to address the recognition of former Commission Secretary Jack Morel. Mr. Porter initially reminded the Commission that Mr. Morel had resigned from the Commission on December 24, 2021 due to health reasons. Mr. Porter next noted that Mr. Morel had first (1st) joined the Commission on February 5, 1974 when he was appointed to serve on the Commission by McLean County. Mr. Porter indicated that the Commission has a wonderful history of recognizing its retiring members. Mr. Porter indicated that Mr. Morel was unable to be present to accept the Commission's recognition in person. As such, Mr. Porter proposed that the Resolution passed in Mr. Morel's honor be placed on display for the indefinite future in the Commission's meeting space.

Mr. Fruin asked whether there would be any publicity surrounding Mr. Morel's long history of service. In response, Mr. Porter indicated that he would ask County Board Chairman John McIntyre about passing a County Board Resolution in Mr. Morel's honor.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Porter regarding the recognition of Mr. Morel. Hearing none, Chairman Novosad turned to the Commission's "New Business" and asked Mr. Grant to discuss the Elevator Modernization Project.

Mr. Grant initially relayed to the Commission that the County and Otis Elevator Co. had recently agreed on the sequencing of the work. Mr. Grant added that he anticipated the first (1st) set of elevators to be under construction in January 2023. Mr. Grant specifically noted that the elevators in the south lobby of the Law & Justice Center would be the first (1st) set of elevators to undergo modernization. Mr. Grant further stated that the elevators in the north lobby of the Law & Justice Center would be the last set of elevators to undergo modernization.

Sheila Utterback of Otis Elevator Co. then stated that the Elevator Modernization Project was anticipated to take a year and-a-half to complete. Ms. Utterback indicated her expectation that materials would begin to arrive on site in January 2023. Ms. Utterback then stated that Otis Elevator Co. was currently working on the engineering aspects of the Project.

Mr. Fazzini then inquired how the McLean County Museum of History would function without a working elevator in the Old Courthouse during the time that elevator was being modernized. Mr. Grant responded by noting that the Old Courthouse elevator would be modernized during the time of year in which the Museum receives the least amount of foot traffic.

Mr. Fazzini then asked how long the elevator at the Old Courthouse would be taken offline for modernization work. Mr. Grant responded by noting that the elevator would be down for ten (10) to twelve (12) weeks. Mr. Grant added that both the County and Museum want the elevator to be fully modernized before the One Hundredth (100th) Anniversary of Route 66.

Mr. Schultz asked Ms. Utterback to explain the three (3) invoices that Otis Elevator Co. had submitted to the Commission. Ms. Utterback indicated that the invoices received by the Commission were “down-payment invoices.” Mr. Schultz then asked that future invoices include more complete work descriptions. Ms. Utterback stated that she would add descriptions to the invoices and re-circulate them to the Commission.

Mr. Reid then remarked that Otis Elevator Co.’s invoices were “highly unusual.” Mr. Reid asked Mr. Porter if the invoices were consistent with the contract. Mr. Porter responded by noting that, under the contract, Otis Elevator Co. would not be billing on a monthly basis. Rather, Mr. Porter indicated that invoices would be paid when certain Project milestones were reached. Mr. Porter noted that Otis Elevator Co. was requiring an initial payment of one-half (1/2) the contract sum. Mr. Porter indicated that the next payment, encompassing one-fourth (1/4) of the contract sum, would be due at the time of material delivery. Mr. Porter added that the final payment, encompassing one-fourth (1/4) of the contract sum, would be due at substantial completion.

Mrs. Lee commented that she was not certain how to read the invoices submitted by Otis Elevator Co. Ms. Utterback reiterated in response that she would add building references and work descriptions to the invoices.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Grant or Ms. Utterback regarding the Elevator Modernization Project. Hearing none, Chairman Novosad asked Mr. Grant to discuss the Animal Control Shelter Project.

Mr. Grant initially indicated that he had recently drafted a Request for Qualifications (“RFQ”) to be issued to retain an architect for the Project. Mr. Grant further stated that the RFQ would be published on or before November 1, 2022. Mr. Grant also noted that a mandatory pre-bid meeting and site visit would occur the week before Thanksgiving. Mr. Grant added that interested firms would need to submit their qualifications on or before December 19, 2022.

Mr. Grant further relayed that construction of the new Animal Control Shelter was slated to tentatively begin in September 2023. Mr. Grant stated that the County desired to construct a quality, LEED-equivalent building.

Chairman Novosad asked whether the site contained enough land to build a new structure while keeping the existing structure operational. Mr. Grant acknowledged that this would prove a logistical challenge and that the Commission and County would need to look to the architect for advice.

Chairman Novosad then inquired whether the existing Animal Control Shelter was situated on a floodplain. Mr. Grant responded in the negative.

Chairman Novosad also stated that he would like members of the Commission to attend certain keystone meetings throughout the RFQ process. Chairman Novosad added that there

seemed to be plenty of time for the design and construction of the new Animal Control Shelter.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Grant regarding the Animal Control Shelter Project. Hearing none, Chairman Novosad asked Mr. Grant to discuss the status of operation and maintenance of Commission-owned facilities.

Mr. Grant began his discussion of the operation and maintenance of Commission-owned facilities by noting that the Old Courthouse is undergoing a plaster and painting project. Mr. Grant reminded the Commission that prior water intrusion had damaged the third (3rd)-floor of the building. Mr. Grant then noted that lead paint had to be abated before next steps could be taken. Mr. Grant indicated that he expected all of the lead to be abated by Friday.

Chairman Novosad asked Mr. Grant whether there had been any additional water intrusion since the installation of the new roof and Mr. Grant indicated that there had not been any additional intrusion.

Mr. Grant next indicated that the County and City had retained Scharnett Architects & Associates to perform a spatial study of the Government Center. Mr. Grant stated that the County and City were hoping to receive recommendations as to how to more efficiently use space between the County and the City.

Mr. Grant further noted that the County and City would be modernizing the elevator at the north end of the Government Center. Mr. Grant stated that Kone, Inc. would be performing this work.

Mr. Fazzini then asked whether there were companies that still manufactured parts for old elevators. Ms. Utterback responded by noting that the lifespan of an elevator is fifteen (15) to twenty (20) years. After that point, Ms. Utterback indicated that an elevator simply needs to be replaced.

Mrs. Lee asked Mr. Grant whether the County intended to have a unified elevator maintenance contract with a single service provider. Mr. Grant responded by indicating that the goal was to consolidate maintenance work into a single agreement. Mrs. Lee then cautioned the County from creating a local monopoly when it comes to elevator work.

Turning to the Fairview Building, Chairman Novosad asked Mr. Grant about the status of converting that structure into senior housing. Mr. Grant responded by noting that any such work was on hold.

Chairman Novosad then asked about refurbishing the Law & Justice Center's exterior façade. Mr. Grant replied that any such work would not occur until 2023.

Chairman Novosad then asked if there were any additional questions or comments for Mr. Grant concerning the status of the operation and maintenance of Commission-owned facilities. Hearing none, Chairman Novosad noted that the Commission had received Invoice Number One

(1) from Otis Elevator Co. on September 7, 2022 in the amount of four hundred forty-six thousand one hundred eighty-nine dollars and 40/100 (\$446,189.40). Chairman Novosad stated that this invoice encompassed the initial payment on the contract for Otis Elevator Co.'s subcontractors. Chairman Novosad indicated that the contract had been reviewed and approved by Mr. Grant.

Chairman Novosad asked if there were any questions or comments regarding Invoice Number One (1) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number One (1) in the sum of four hundred forty-six thousand one hundred eighty-nine dollars and 40/100 (\$446,189.40) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. O'Grady and seconded by Mr. Fruin to approve payment of Otis Elevator Co.'s Invoice Number One (1) in the sum of four hundred forty-six thousand one hundred eighty-nine dollars and 40/100 (\$446,189.40) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next noted that the Commission had received Invoice Number Two (2) from Otis Elevator Co. on September 8, 2022 in the amount of two hundred sixty-nine thousand one hundred ninety-four dollars and 05/100 (\$269,194.05). Chairman Novosad stated that Invoice Number Two (2) encompassed the initial payment on the contract for Otis Elevator Co.'s work on one (1) of the main lobby elevators in the Law & Justice Center. Chairman Novosad indicated that the invoice had been reviewed and approved by Mr. Grant.

Chairman Novosad asked if there were any questions or comments regarding Invoice Number Two (2) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Two (2) in the sum of two hundred sixty-nine thousand one hundred ninety-four dollars and 05/100 (\$269,194.05) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. O'Grady and seconded by Mr. Schultz to approve payment of Otis Elevator Co.'s Invoice Number Two (2) in the sum of two hundred sixty-nine thousand one hundred ninety-four dollars and 05/100 (\$269,194.05) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad further noted that the Commission had received Invoice Number Three (3) from Otis Elevator Co. on September 8, 2022 in the amount of two hundred sixty-nine thousand one hundred ninety-four dollars and 05/100 (\$269,194.05). Chairman Novosad stated that Invoice Number Three (3) encompassed the initial payment on the contract for Otis Elevator Co.'s work on one (1) of the main lobby elevators in the Law & Justice Center. Chairman Novosad indicated that the invoice has been reviewed and approved by Mr. Grant.

Chairman Novosad asked if there were any questions or comments regarding Invoice Number Three (3) from Otis Elevator Co. Hearing none, Chairman Novosad asked for a Motion to approve payment of Otis Elevator Co.'s Invoice Number Three (3) in the sum of two hundred sixty-nine thousand one hundred ninety-four dollars and 05/100 (\$269,194.05) from the Series 2022 Project Fund at PMA Securities, LLC. It was moved by Mr. Fruin and seconded by Mr. Reid to

approve payment of Otis Elevator Co.'s Invoice Number Three (3) in the sum of two hundred sixty-nine thousand one hundred ninety-four dollars and 05/100 (\$269,194.05) from the Series 2022 Project Fund at PMA Securities, LLC. Upon a roll call vote, all Commissioners voted in favor of the Motion.

Chairman Novosad next asked Mr. Porter to address the retention of an Independent Project Manager for the Elevator Modernization Project. Mr. Porter noted that the County was asking the Commission to consider retaining an Independent Project Manager for assistance on the Elevator Modernization Project. Mr. Porter indicated that Mr. Grant specifically envisioned the Commission retaining a qualified consultant who could ensure the procurement of appropriate materials, their correct installation, and the proper functioning of the modernized elevators. Mr. Porter then relayed that Mr. Grant had suggested using some of the one hundred eighteen thousand nine hundred forty-nine dollars and 00/100 (\$118,949.00) in savings off Otis Elevator Co.'s bid amount to retain such a professional. Mr. Porter noted that the *Local Government Professional Services Selection Act*, 750 ILCS 510/0.01, *et seq.*, would allow the Commission to retain a Project Manager without going through a formalized bid process. Mr. Porter also indicated that using bond proceeds for this purpose would be permissible under the Commission's Bond Resolution.

For his part, Mr. Grant stated that he needed an additional skillset to trust, but verify Otis Elevator Co.'s work. Mr. Grant indicated that he had received proposals from interested firms, but acknowledged that the proposals still needed to be refined.

Chairman Novosad asked whether the proposals had been received from local firms. Mr. Grant responded by noting that the proposals had come from Chicago, St. Louis, and Southern Illinois.

Mr. Fazzini asked Mr. Grant to share the dollar range of the proposals that he had received from interested firms. Mr. Grant stated that proposals ranged from twenty-eight thousand dollars and 00/100 (\$28,000.00) to fifty-two thousand dollars and 00/100 (\$52,000.00).

Mr. Reid then suggested that the Commission hold a Special Meeting to consider the proposals more fully. Mr. Reid did however voice support for the concept of retaining an Independent Project Manager. Both Mrs. Lee and Mr. Zimmerman agreed with Mr. Reid's suggestion.

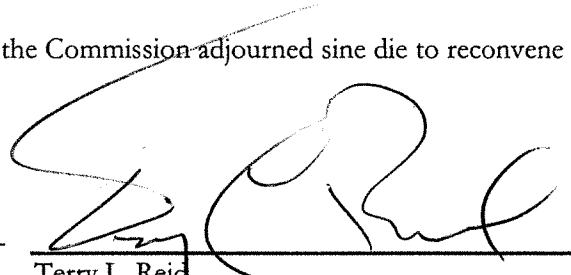
Chairman Novosad asked if there were any additional questions or comments regarding the retention of an Independent Project Manager for the Elevator Modernization Project. Hearing none, Chairman Novosad noted that the Commission still needed to approve the publication of an RFQ for design services for the construction of a new Animal Control Shelter. It was moved by Mr. Zimmerman and seconded by Mr. O'Grady to approve the publication of an RFQ for design services for the construction of a new Animal Control Shelter. The Motion was unanimously approved by voice vote.

Turning to the Commission's "Other Business," Chairman Novosad remarked that Mr.

Farnsworth had been unable to attend the meeting to be recognized for his years of service to the Commission. Chairman Novosad voiced his hope that Mr. Farnsworth would be able to attend a future meeting for this purpose.

There being no other "Other Business," the Commission adjourned sine die to reconvene and reorganize at 5:00 p.m.

January 3, 2023



Terry L. Reid,
Secretary, Public Building Commission

